

substitute amendment, the Senator from Kentucky did indeed vote for the original balanced budget amendment last year which was basically identical to the one we voted on this year which he voted against.

Methinks, maybe, he protest too much.

I was raised to believe that actions speak louder than words. And the point of my remarks in the RECORD last week was that the actions of several of our colleagues with regard to the balanced budget amendment last year just do not compute, as Dr. Spock would say, with thier actions this year.

I do regret any inconvenience to the Senator caused by the publication of his quote from 1994. And I want to assure him that all future quotes will be triple-checked for their precise parliamentary context.

But at the same time, those of us who truly support a balanced budget amendment owe it to the public—to the taxpayers—to make clear why that amendment was defeated, at least temporarily, in this body last week.

It was defeated because several Senators who voted for its exact language 1 year ago found some reason, some excuse, to change their position 180 degrees this year.

Whatever their reasons for doing so, that abrupt change is what is at issue here. It is what the public is asking question about. And, in some cases, it may be difficult to explain.

One thing is for sure: No one can explain away that radical change in position regarding the balanced budget amendment by pointing to the Reid-Ford-Feinstein substitute of 1994. That substitute was indeed the subject of Senator FORD's remarks as I quoted them, but it was the original, untouched, unamended, unaltered, authentic balanced budget amendment for which he voted on March 1, 1994.

And it was the same amendment, with only the beneficial addition of Senator NUNN's language concerning the federal judiciary, which he voted against on March 2, 1995.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I ask unanimous consent that I may speak for not to exceed 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE BALANCED BUDGET AMENDMENT FIGHT

Mr. BYRD. Mr. President, the balanced budget amendment fight has ended for the moment, but some rather unattractive reverberations seem still to be echoing in this Chamber and around this city. Honorable men and women wrestled with their consciences and did the best that they could to reach the right decision on the balanced budget amendment to the Constitution. Thirty days of good solid de-

bate in the best Senate tradition persuaded some that the amendment was the right thing and some that it was the wrong thing. That is exactly what the constitutional Framers intended when they set up the difficult amending process laid out in the Constitution. But the Framers probably did not foresee the aftermath of political guerrilla-warfare tactics that is now in progress, nor would they have understood or appreciated this particular unfortunate turn of events.

Attack ads are already running in the States of certain Members who could not support the amendment this year because of its glaring deficiencies. Because of the thorough examination of the amendment on this floor and elsewhere, the constitutional amendment has been somewhat discredited. The idea has lost some support with the people and in its present form, it has lost the support of some Senators who had supported it in the past. There is nothing unusual about that. Proposals often fall out of favor when careful examination reveals their flaws. That is healthy. That is good for the Republic. That is representative democracy.

But, the ugliness which continues to pervade the air on the days after the amendment's defeat is unwarranted, unwise, and to be regretted.

Senators who have used their best judgment are under attack and in the most extreme of cases one Senator, it is rumored, has been threatened with his position on a Senate committee.

When Senators are asked to check their integrity at the door to continue in good standing their membership in any political party, something is very, very wrong. When a Senator has to subordinate his conscience and his dedication to the Constitution of the United States to any political party, then we have come to a very poor pass in this Senate and in this country. When Members of the Senate are subjected to hit-list tactics because of their position of conscience on an important constitutional amendment, somewhere, somebody's perception of the word "Honorable" is seriously off track. And when losing a fair fight prompts the loud public "chewing of rags" which we have seen since last Thursday evening, everybody loses, including the Nation.

I hope that the coming days will see a restoration of sanity and comity in this body. What we need to do now is to get on with the business of reducing the deficit, which is what the American people have really asked us to do. This Senate which so distinguished itself only last week with a wise and courageous decision on the balanced budget amendment, must cease the self-destructive and embarrassing threats and recriminations and once again distinguish itself by a serious attempt to do the people's business. That is what we are all elected and expected to do.

Mr. President, for the information of Senators, I ask unanimous consent to include in the RECORD at this point rule XXIV of the Standing Rules of the

Senate entitled "Appointment of Committees."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### RULE XXIV

##### APPOINTMENT OF COMMITTEES

1. In the appointment of the standing committees, or to fill vacancies thereon, the Senate, unless otherwise ordered, shall by resolution appoint the chairman of each such committee and the other members thereof. On demand of any Senator, a separate vote shall be had on the appointment of the chairman of any such committee and on the appointment of the other members thereof. Each such resolution shall be subject to amendment and to division of the question.

2. On demand of one-fifth of the Senators present, a quorum being present, any vote taken pursuant to paragraph 1 shall be by ballot.

3. Except as otherwise provided or unless otherwise ordered, all other committees, and the chairmen thereof, shall be appointed in the same manner as standing committees.

4. When a chairman of a committee shall resign or cease to serve on a committee, action by the Senate to fill the vacancy in such committee, unless specially otherwise ordered, shall be only to fill up the number of members of the committee, and the election of a new chairman.

Mr. BYRD. Mr. President, I yield the floor.

#### EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS ACT OF 1995

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to consideration of H.R. 889 which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 889) making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness for the Department of Defense for the fiscal year ending September 30, 1995 and for other purposes.

The Senate proceeded to consider the bill which had been reported from the Committee on Appropriations, with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

H.R. 889

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* [That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to provide emergency supplemental appropriations for the Department of Defense to preserve and enhance military readiness for the fiscal year ending September 30, 1995, and for other purposes, namely:

#### [TITLE I

##### [EMERGENCY SUPPLEMENTAL APPROPRIATIONS

##### [DEPARTMENT OF DEFENSE—MILITARY

##### [MILITARY PERSONNEL

##### [MILITARY PERSONNEL, ARMY

[For an additional amount for "Military Personnel, Army," \$69,300,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and

Emergency Deficit Control Act of 1985, as amended.

**[MILITARY PERSONNEL, NAVY]**

**[For an additional amount for "Military Personnel, Navy," \$49,500,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

**[MILITARY PERSONNEL, MARINE CORPS]**

**[For an additional amount for "Military Personnel, Marine Corps," \$10,400,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

**[MILITARY PERSONNEL, AIR FORCE]**

**[For an additional amount for "Military Personnel, Air Force," \$71,700,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

**[RESERVE PERSONNEL, NAVY]**

**[For an additional amount for "Reserve Personnel, Navy," \$4,600,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

**[OPERATION AND MAINTENANCE]**

**[OPERATION AND MAINTENANCE, ARMY]**

**[For an additional amount for "Operation and Maintenance, Army," \$958,600,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

**[OPERATION AND MAINTENANCE, NAVY]**

**[For an additional amount for "Operation and Maintenance, Navy," \$347,600,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

**[OPERATION AND MAINTENANCE, MARINE CORPS]**

**[For an additional amount for "Operation and Maintenance, Marine Corps," \$38,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

**[OPERATION AND MAINTENANCE, AIR FORCE]**

**[For an additional amount for "Operation and Maintenance, Air Force," \$888,700,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

**[OPERATION AND MAINTENANCE, DEFENSE-WIDE]**

**[For an additional amount for "Operation and Maintenance, Defense-Wide," \$43,200,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

**[OPERATION AND MAINTENANCE, NAVY RESERVE]**

**[For an additional amount for "Operation and Maintenance, Navy Reserve," \$6,400,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

**[PROCUREMENT]**

**[OTHER PROCUREMENT, ARMY]**

**[For an additional amount for "Other Procurement, Army," \$28,600,000, to remain available until September 30, 1997: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

**[OTHER PROCUREMENT, AIR FORCE]**

**[For an additional amount for "Other Procurement, Air Force," \$8,100,000, to remain available until September 30, 1997: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

**[OTHER DEPARTMENT OF DEFENSE PROGRAMS]**

**[DEFENSE HEALTH PROGRAM]**

**[For an additional amount for "Defense Health Program," \$14,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

**[TITLE II]**

**[RESCINDING CERTAIN BUDGET AUTHORITY]**

**[DEPARTMENT OF DEFENSE—MILITARY]**

**[OPERATION AND MAINTENANCE]**

**[OPERATION AND MAINTENANCE, AIR FORCE]**

**[(RESCISSION)]**

**[Of the funds made available under this heading in Public Law 103-335, \$15,000,000 are rescinded.**

**[OPERATION AND MAINTENANCE, DEFENSE-WIDE]**

**[(RESCISSION)]**

**[Of the funds made available under this heading in Public Law 103-335, \$18,800,000 are rescinded.**

**[ENVIRONMENTAL RESTORATION, DEFENSE]**

**[(RESCISSION)]**

**[Of the funds made available under this heading in Public Law 103-335, \$150,000,000 are rescinded.**

**[FORMER SOVIET UNION THREAT REDUCTION]**

**[(RESCISSION)]**

**[Of the funds made available under this heading in Public Law 103-335, \$80,000,000 are rescinded.**

**[PROCUREMENT]**

**[AIRCRAFT PROCUREMENT, AIR FORCE]**

**[(RESCISSIONS)]**

**[Of the funds made available under this heading in Public Law 103-139, \$15,000,000 are rescinded.**

**[Of the funds made available under this heading in Public Law 103-335, \$71,400,000 are rescinded.**

**[MISSILE PROCUREMENT, AIR FORCE]**

**[(RESCISSIONS)]**

**[Of the funds made available under this heading in Public Law 102-396, \$33,000,000 are rescinded.**

**[Of the funds made available under this heading in Public Law 103-139, \$86,200,000 are rescinded.**

**[NATIONAL GUARD AND RESERVE EQUIPMENT]**

**[(RESCISSION)]**

**[Of the funds made available under this heading in Public Law 103-335, \$30,000,000 are rescinded.**

**[DEFENSE PRODUCTION ACT PURCHASES]**

**[(RESCISSION)]**

**[Of the funds made available under this heading in Public Law 103-139, \$100,000,000 are rescinded.**

**[RESEARCH, DEVELOPMENT, TEST AND EVALUATION]**

**[RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY]**

**[(RESCISSIONS)]**

**[Of the funds made available under this heading in Public Law 103-139, \$28,300,000 are rescinded.**

**[Of the funds made available under this heading in Public Law 103-335, \$19,700,000 are rescinded.**

**[RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY]**

**[(RESCISSIONS)]**

**[Of the funds made available under this heading in Public Law 103-139, \$1,200,000 are rescinded.**

**[Of the funds made available under this heading in Public Law 103-335, \$58,900,000 are rescinded.**

**[RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE]**

**[(RESCISSIONS)]**

**[Of the funds made available under this heading in Public Law 103-139, \$93,800,000 are rescinded.**

**[Of the funds made available under this heading in Public Law 103-335, \$75,800,000 are rescinded.**

**[RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE]**

**[(RESCISSIONS)]**

**[Of the funds made available under this heading in Public Law 103-139, \$77,000,000 are rescinded.**

**[Of the funds made available under this heading in Public Law 103-335, \$491,600,000 are rescinded.**

**[RELATED AGENCIES]**

**[NATIONAL SECURITY EDUCATION TRUST FUND]**

**[(RESCISSION)]**

**[Of the funds made available under this heading in Public Law 102-172, Public Law 103-50, Public Law 103-139, and Public Law 103-335, \$161,287,000 are rescinded: *Provided*, That the balance of funds in the National Security Education Trust Fund (established pursuant to section 804 of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1904)), other than such amount as is necessary for obligations made before the date of the enactment of this Act, is hereby reduced to zero: *Provided further*, That no outlay may be made from the Fund after the date of the enactment of this Act other than to liquidate an obligation made before such date and upon liquidation of all such obligations made before such date, the Fund shall be closed: *Provided further*, That no obligation may be made from the Fund after the date of the enactment of this Act.**

**[TITLE III]**

**[ADDITIONAL EMERGENCY SUPPLEMENTAL APPROPRIATIONS TO FURTHER ENHANCE READINESS]**

**[DEPARTMENT OF DEFENSE—MILITARY]**

**[MILITARY PERSONNEL]**

**[MILITARY PERSONNEL, ARMY]**

**[For an additional amount for "Military Personnel, Army," \$75,500,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

**[MILITARY PERSONNEL, NAVY]**

**[For an additional amount for "Military Personnel, Navy," \$68,200,000: *Provided*, That**

such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

#### **[MILITARY PERSONNEL, MARINE CORPS**

**[For an additional amount for "Military Personnel, Marine Corps," \$3,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

#### **[MILITARY PERSONNEL, AIR FORCE**

**[For an additional amount for "Military Personnel, Air Force," \$70,400,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

#### **[RESERVE PERSONNEL, ARMY**

**[For an additional amount for "Reserve Personnel, Army," \$6,500,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

#### **[RESERVE PERSONNEL, NAVY**

**[For an additional amount for "Reserve Personnel, Navy," \$5,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

#### **[RESERVE PERSONNEL, MARINE CORPS**

**[For an additional amount for "Reserve Personnel, Marine Corps," \$1,300,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

#### **[RESERVE PERSONNEL, AIR FORCE**

**[For an additional amount for "Reserve Personnel, Air Force," \$2,800,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

#### **[NATIONAL GUARD PERSONNEL, ARMY**

**[For an additional amount for "National Guard Personnel, Army," \$11,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

#### **[NATIONAL GUARD PERSONNEL, AIR FORCE**

**[For an additional amount for "National Guard Personnel, Air Force," \$5,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

#### **[OPERATION AND MAINTENANCE**

##### **[OPERATION AND MAINTENANCE, ARMY**

**[For an additional amount for "Operation and Maintenance, Army," \$133,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

##### **[OPERATION AND MAINTENANCE, NAVY**

**[For an additional amount for "Operation and Maintenance, Navy," \$107,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Bal-**

anced Budget and Emergency Deficit Control Act of 1985, as amended.

##### **[OPERATION AND MAINTENANCE, MARINE CORPS**

**[For an additional amount for "Operation and Maintenance, Marine Corps," \$46,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

##### **[OPERATION AND MAINTENANCE, AIR FORCE**

**[For an additional amount for "Operation and Maintenance, Air Force," \$80,400,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

##### **[OPERATION AND MAINTENANCE, ARMY RESERVE**

**[For an additional amount for "Operation and Maintenance, Army Reserve," \$13,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

##### **[OPERATION AND MAINTENANCE, NAVY RESERVE**

**[For an additional amount for "Operation and Maintenance, Navy Reserve," \$18,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

##### **[OPERATION AND MAINTENANCE, MARINE CORPS RESERVE**

**[For an additional amount for "Operation and Maintenance, Marine Corps Reserve," \$1,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

##### **[OPERATION AND MAINTENANCE, AIR FORCE RESERVE**

**[For an additional amount for "Operation and Maintenance, Air Force Reserve," \$2,600,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

##### **[OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD**

**[For an additional amount for "Operation and Maintenance, Army National Guard," \$10,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

##### **[OPERATION AND MAINTENANCE, AIR NATIONAL GUARD**

**[For an additional amount for "Operation and Maintenance, Air National Guard," \$10,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.**

### **[TITLE IV**

#### **[GENERAL PROVISIONS**

**[SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.**

**[SEC. 402. Notwithstanding sections 607 and 630 of the Foreign Assistance Act of 1961 (22 U.S.C. 2357, 2390) and sections 2608 and 2350j of title 10, United States Code, all funds received by the United States as reimburse-**

ment for expenses for which funds are provided in this Act shall be deposited in the Treasury as miscellaneous receipts.]

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to provide supplemental appropriations for the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes, namely:*

### **TITLE I**

#### **SUPPLEMENTAL APPROPRIATIONS**

##### **DEPARTMENT OF DEFENSE—MILITARY**

##### **MILITARY PERSONNEL**

##### **MILITARY PERSONNEL, ARMY**

*For an additional amount for "Military Personnel, Army," \$35,400,000.*

##### **MILITARY PERSONNEL, NAVY**

*For an additional amount for "Military Personnel, Navy," \$49,500,000.*

##### **MILITARY PERSONNEL, MARINE CORPS**

*For an additional amount for "Military Personnel, Marine Corps," \$10,400,000.*

##### **MILITARY PERSONNEL, AIR FORCE**

*For an additional amount for "Military Personnel, Air Force," \$37,400,000.*

##### **RESERVE PERSONNEL, NAVY**

*For an additional amount for "Reserve Personnel, Navy," \$4,600,000.*

##### **OPERATION AND MAINTENANCE**

##### **OPERATION AND MAINTENANCE, ARMY**

*For an additional amount for "Operation and Maintenance, Army," \$636,900,000.*

##### **OPERATION AND MAINTENANCE, NAVY**

*For an additional amount for "Operation and Maintenance, Navy," \$284,100,000.*

##### **OPERATION AND MAINTENANCE, MARINE CORPS**

*For an additional amount for "Operation and Maintenance, Marine Corps," \$27,700,000.*

##### **OPERATION AND MAINTENANCE, AIR FORCE**

*For an additional amount for "Operation and Maintenance, Air Force," \$785,800,000.*

##### **OPERATION AND MAINTENANCE, DEFENSE-WIDE**

*For an additional amount for "Operation and Maintenance, Defense-Wide," \$43,200,000.*

##### **OPERATION AND MAINTENANCE, NAVY RESERVE**

*For an additional amount for "Operation and Maintenance, Navy Reserve," \$6,400,000.*

##### **OTHER DEPARTMENT OF DEFENSE PROGRAMS**

##### **DEFENSE HEALTH PROGRAM**

*For an additional amount for "Defense Health Program," \$14,000,000.*

##### **GENERAL PROVISIONS**

**SEC. 101.** No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

**SEC. 102.** During the current fiscal year, appropriations available to the Department of Defense for the pay of civilian personnel may be used, without regard to the time limitations specified in section 5523(a) of title 5, United States Code, for payments under the provisions of section 5523 of title 5, United States Code, in the case of employees, or an employee's dependents or immediate family, evacuated from Guantanamo Bay, Cuba, pursuant to the August 26, 1994 order of the Secretary of Defense.

##### **(INCLUDING TRANSFER OF FUNDS)**

**SEC. 103.** In addition to amounts appropriated or otherwise made available by this Act, \$28,297,000 is hereby appropriated to the Department of Defense and shall be available only for transfer to the United States Coast Guard to cover the incremental operating costs associated with Operations Able Manner, Able Vigil, Restore Democracy, and Support Democracy: *Provided*, That such amount shall remain available for obligation until September 30, 1996.

SEC. 104. (a) Section 8106A of the Department of Defense Appropriations Act, 1995 (Public Law 103-335), is amended by striking out the last proviso and inserting in lieu thereof the following: "Provided further, That if, after September 30, 1994, a member of the Armed Forces (other than the Coast Guard) is approved for release from active duty or full-time National Guard duty and that person subsequently becomes employed in a position of civilian employment in the Department of Defense within 180 days after the release from active duty or full-time National Guard duty, then that person is not eligible for payments under a Special Separation Benefits program (under section 1174a of title 10, United States Code) or a Voluntary Separation Incentive program (under section 1175 of title 10, United States Code) by reason of the release from active duty or full-time National Guard duty, and the person shall reimburse the United States the total amount, if any, paid such person under the program before the employment begins".

(b) Appropriations available to the Department of Defense for fiscal year 1995 may be obligated for making payments under sections 1174a and 1175 of title 10, United States Code.

(c) The amendment made by subsection (a) shall be effective as of September 30, 1994.

SEC. 105. Subsection 8054(g) of the Department of Defense Appropriations Act, 1995 (Public Law 103-335), is amended to read as follows: "Notwithstanding any other provision of law, of the amounts available to the Department of Defense during fiscal year 1995, not more than \$1,252,650,000 may be obligated for financing activities of defense FFRDCs: Provided, That, in addition to any other reductions required by this section, the total amount appropriated in title IV of this Act is hereby reduced by \$200,000,000 to reflect the funding ceiling contained in this subsection and to reflect further reductions in amounts available to the Department of Defense to finance activities carried out by defense FFRDCs and other entities providing consulting services, studies and analyses, systems engineering and technical assistance, and technical, engineering and management support."

(RESCISSIONS)

SEC. 106. Of the funds provided in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts in the specified amounts:

Operation and Maintenance, Navy, \$16,300,000;

Operation and Maintenance, Air Force, \$2,000,000;

Operation and Maintenance, Defense-Wide, \$90,000,000;

Environmental Restoration, Defense, \$300,000,000;

Aircraft Procurement, Army, 1995/1997, \$77,611,000;

Procurement of Ammunition, Army, 1993/1995, \$85,000,000;

Procurement of Ammunition, Army, 1995/1997, \$89,320,000;

Other Procurement, Army, 1995/1997, \$46,900,000;

Shipbuilding and Conversion, Navy, 1995/1999, \$26,600,000;

Missile Procurement, Air Force, 1993/1995, \$33,000,000;

Missile Procurement, Air Force, 1994/1996, \$86,184,000;

Other Procurement, Air Force, 1995/1997, \$6,100,000;

Procurement, Defense-Wide, 1995/1997, \$65,000,000;

Defense Production Act, \$100,000,000;

Research, Development, Test and Evaluation, Army, 1995/1996, \$38,300,000;

Research, Development, Test and Evaluation, Navy, 1995/1996, \$59,600,000;

Research, Development, Test and Evaluation, Air Force, 1994/1995, \$81,100,000;

Research, Development, Test and Evaluation, Air Force, 1995/1996, \$226,900,000;

Research, Development, Test and Evaluation, Defense-Wide, 1994/1995, \$77,000,000;

Research, Development, Test and Evaluation, Defense-Wide, 1995/1996, \$351,000,000.

(RESCISSION)

SEC. 107. Of the funds made available for the National Security Education Trust Fund in Public Law 102-172, \$150,000,000 are rescinded: Provided, That the balance of funds in the National Security Education Trust Fund (established pursuant to section 804 of Public Law 102-183 (50 U.S.C. 1904)), other than such amounts as are necessary for liquidation of obligations made before the date of the enactment of this Act, is hereby reduced to \$8,500,000: Provided further, That upon liquidation of all such obligations and the \$8,500,000 in the preceding proviso, the Fund shall be closed.

(TRANSFER OF FUNDS)

SEC. 108. Section 8005 of the Department of Defense Appropriations Act, 1995 (Public Law 103-335; 108 Stat. 2617), is amended by striking out "\$2,000,000,000" and inserting in lieu thereof "\$1,750,000,000".

**SEC. 109. REPORT ON COST AND SOURCE OF FUNDS FOR MILITARY ACTIVITIES IN HAITI.**

(a) REQUIREMENT.—None of the funds appropriated by this Act or otherwise made available to the Department of Defense may be expended for operations or activities of the Armed Forces in and around Haiti sixty days after enactment of this Act, unless the President submits to Congress the report described in subsection (b).

(b) REPORT ELEMENTS.—The report referred to in subsection (a) shall include the following:

(1) A detailed description of the estimated cumulative incremental cost of all United States activities subsequent to September 30, 1993, in and around Haiti, including but not limited to—

(A) the cost of all deployments of United States Armed Forces and Coast Guard personnel, training, exercises, mobilization, and preparation activities, including the preparation of police and military units of the other nations of the multinational force involved in enforcement of sanctions, limits on migration, establishment and maintenance of migrant facilities at Guantanamo Bay and elsewhere, and all other activities relating to operations in and around Haiti; and

(B) the costs of all other activities relating to United States policy toward Haiti, including humanitarian and development assistance, reconstruction, balance of payments and economic support, assistance provided to reduce or eliminate all arrearages owed to International Financial Institutions, all rescheduling or forgiveness of United States bilateral and multilateral debt, aid and other financial assistance, all in-kind contributions, and all other costs to the United States Government.

(2) A detailed accounting of the source of funds obligated or expended to meet the costs described in paragraph (1), including—

(A) in the case of funds expended from the Department of Defense budget, a breakdown by military service or defense agency, line item, and program; and

(B) in the case of funds expended from the budgets of departments and agencies other than the Department of Defense, by department or agency and program.

**[TITLE VI]**

**TITLE II**

**RESCISSIONS**

The following rescissions of budget authority are made, namely:

**CHAPTER I**

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES

DEPARTMENT OF JUSTICE

IMMIGRATION AND NATURALIZATION SERVICE

IMMIGRATION EMERGENCY FUND

(RESCISSION)

Of the amounts made available under this heading in Public Law 103-317, **[\$70,000,000]** \$50,000,000 are rescinded.

DEPARTMENT OF COMMERCE

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

INDUSTRIAL TECHNOLOGY SERVICES

(RESCISSION)

Of the amounts made available under this heading in Public Law 103-317 for the Advanced Technology Program, \$107,000,000 are rescinded.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

(RESCISSION)

Of the amounts made available under this heading in Public Law 103-317, \$20,000,000 are rescinded.

**CHAPTER II**

ENERGY AND WATER DEVELOPMENT

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND

WASTE MANAGEMENT

(RESCISSION)

Of the amounts made available under this heading in Public Law 103-316 and prior years' Energy and Water Development Appropriations Acts, \$100,000,000 are rescinded.

**CHAPTER III**

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED AGENCIES  
MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

(RESCISSION)

Of the funds made available under this heading in Public Law 103-306, \$62,014,000 are rescinded.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

AGENCY FOR INTERNATIONAL DEVELOPMENT

[ASSISTANCE FOR THE NEW INDEPENDENT

STATES OF THE FORMER SOVIET UNION

](RESCISSION)

[Of the funds made available under this heading in Public Law 103-87 for support of an officer resettlement program in Russia as described in section 560(a)(5), \$110,000,000 are rescinded.]

DEVELOPMENT FUND FOR AFRICA

(RESCISSION)

Of the funds made available under this heading in Public Law 103-87 and Public Law 103-306, \$110,000,000 are rescinded.

**CHAPTER IV**

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES

DEPARTMENT OF ENERGY

CLEAN COAL TECHNOLOGY

(RESCISSION)

Of the funds made available under this heading for obligation in fiscal year 1996, \$50,000,000 are rescinded and of the funds made available under this heading for obligation in fiscal year 1997, \$150,000,000 are rescinded: *Provided*, That funds made available

in previous appropriations Acts shall be available for any ongoing project regardless of the separate request for proposal under which the project was selected.

#### CHAPTER V

### DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AND RELATED AGENCIES

#### DEPARTMENT OF LABOR

##### EMPLOYMENT AND TRAINING ADMINISTRATION

##### TRAINING AND EMPLOYMENT SERVICES

##### (RESCISSION)

Of the funds made available under this heading in Public Law 103-333 for carrying out title II, part C of the Job Training Partnership Act, \$200,000,000 are rescinded.

#### DEPARTMENT OF EDUCATION

##### [SCHOOL IMPROVEMENT PROGRAMS

##### (RESCISSION)

[Of the funds made available under this heading in Public Law 103-333 for new education infrastructure improvement grants, \$100,000,000 are rescinded.]

##### STUDENT FINANCIAL ASSISTANCE

##### (RESCISSION)

*Of the funds made available under this heading in Public Law 103-112, \$100,000,000 made available for title IV, part A, subpart 1 of the Higher Education Act are rescinded.*

#### CHAPTER VI

### DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES

#### DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION

##### FACILITIES AND EQUIPMENT

##### (AIRPORT AND AIRWAY TRUST FUND)

##### (RESCISSION)

*Of the available balances under this heading that remain unobligated for the "advanced automation system", \$35,000,000 are rescinded.*

#### FEDERAL HIGHWAY ADMINISTRATION

##### FEDERAL-AID HIGHWAYS

##### (HIGHWAY TRUST FUND)

##### (RESCISSION)

*Of the available contract authority balances under this heading in Public Law 97-424, \$13,340,000 are rescinded; and of the available balances under this heading in Public Law 100-17, \$120,000,000 are rescinded.*

#### MISCELLANEOUS HIGHWAY DEMONSTRATION PROJECTS

##### (RESCISSION)

*Of the available appropriated balances provided in Public Law 93-87; Public Law 98-8; Public Law 98-473; and Public Law 100-71, \$12,004,450 are rescinded.*

#### FEDERAL RAILROAD ADMINISTRATION

##### LOCAL RAIL FREIGHT ASSISTANCE

##### (RESCISSION)

Of the available balances under this heading, [\$13,126,000] \$6,608,000 are rescinded.

#### [PENNSYLVANIA STATION REDEVELOPMENT PROJECT

##### (RESCISSION)

[Of the funds made available under this heading in Public Law 103-331, \$40,000,000 are rescinded.]

#### CHAPTER VII

### DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES

#### [INDEPENDENT AGENCIES

##### [NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

##### [NATIONAL AERONAUTICAL FACILITIES

##### (RESCISSION)

[Of the funds made available under this heading in Public Law 103-327, for construc-

tion of wind tunnels, \$400,000,000 are rescinded.]

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

##### HOUSING PROGRAMS

##### ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING (RESCISSION)

*Of the funds made available under this heading in Public Law 103-327 and any unobligated balances from funds appropriated under this heading in prior years, \$400,000,000 are rescinded from amounts available for the development or acquisition costs of public housing.*

[This Act may be cited as the "Emergency Supplemental Appropriations and Rescissions for the Department of Defense to Preserve and Enhance Military Readiness Act of 1995".]

*This Act may be cited as the "Supplemental Appropriations and Rescissions Act, 1995".*

Mr. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HATFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATFIELD. Mr. President, the Senate now turns to consideration of H.R. 889, making fiscal year 1995 supplemental appropriations for the Department of Defense, and rescinding appropriations for defense and nondefense programs. The Committee on Appropriations met last Thursday on this measure, and reported it with amendments by a unanimous vote of 28-0.

The bill recommended by the committee contains two titles. The first title provides a total of \$1,935,400,000 in supplemental appropriations for the Department of Defense. These appropriations are recommended in response to a request from the President for \$2,538,700,000 to replenish accounts depleted by unbudgeted operations in and around Haiti, Cuba, Bosnia, Rwanda, Somalia, Iraq, and Korea. Guided by the recommendations of our defense subcommittee, the committee proposes a reduction from the President's request for defense. We believe that we have addressed the immediate concerns of the Department of Defense regarding operational readiness, and are prepared to consider the other readiness issues raised by the Department in connection with the fiscal year 1996 defense appropriations bill.

The committee has also recommended rescissions in prior appropriations for defense in order to offset the additional spending recommended. The President requested appropriations with an emergency designation under the terms of the Budget Enforcement Act. With this designation, funds provided would have been in addition to those set by the domestic discretionary caps. The committee believes it is preferable to offset spending wherever and whenever possible, so that the deficit is not increased.

Senator STEVENS, the chairman of our Defense Appropriations Sub-

committee, and the ranking Member of that committee, former chairman DANIEL INOUE, will discuss the specifics of the supplemental appropriations and rescissions in title I as we proceed with the debate on this measure.

The second title of the bill as recommended would rescind a total of \$1,535,966,450 in appropriations for nondefense programs. The other body recommended rescissions of slightly more than \$1.4 billion in nondefense programs in order to partially offset the costs of their recommended supplementals for defense. Our committee fully offset defense supplementals with rescissions in lower priority defense programs. Our nondefense rescissions are solely intended to achieve reductions in Federal spending this fiscal year.

Mr. President, I believe, as we have researched this, that this is the first time in the history of the Appropriations Committee where a rescission package was identified as an offset and as a deduction from the current deficit. I think that is worthy to take note.

Mr. President, that summarizes the recommendations of the committee. They are discussed in greater detail in our report which is Senate report 104-12 which was received last Friday and available to all Members.

I am now prepared to yield the floor for any opening remarks that the ranking member, the former chairman of the Appropriations Committee, Senator BYRD, wishes to make. Then we will seek to adopt the committee amendments, and proceed with consideration of the bill and entertaining any amendments that Members may wish to offer at this time.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I thank the chairman, Senator HATFIELD, for his statement which is complete and thorough enough in itself without any additional words on my part. But I do support the committee's recommendations on H.R. 889, as reported by Senator HATFIELD.

H.R. 889, as reported, contains recommendations totaling just over \$1.9 billion to restore readiness funds to the Department of Defense. These funds were used for unforeseen international operations such as in Haiti, in the Middle East, Rwanda, Somalia, and Bosnia.

It is my understanding that the Department of Defense needs these funds by the end of March. The committee's recommended appropriations are approximately \$600 million less than requested by the President and \$1.2 billion below the House bill. Furthermore, and most importantly, the committee's recommendations include sufficient Department of Defense rescissions to fully offset both the budget authority and the outlays of these defense appropriations.

I compliment the distinguished chairman of the Defense Appropriations Subcommittee, Mr. STEVENS, and

the distinguished ranking member of the Defense Appropriations Subcommittee, Mr. INOUE, for their able efforts in finding these offsets.

In addition, title II of the bill contains rescissions from a number of nondefense appropriations totaling over \$1.5 billion in additional spending cuts.

I compliment the chairman of the committee, Mr. HATFIELD, who is a former chairman of the committee, former ranking member, and again chairman of the Appropriations Committee for his expeditious handling of this important measure, and I urge Senators on both sides to support the committee's recommendations.

I yield the floor.

Mr. HATFIELD. Mr. President, as we now proceed, I would seek unanimous consent that the committee amendments be considered, and agreed to, en bloc; that the bill, as amended, be considered as original text for the purpose of further amendment; and, that no points of order be waived thereon by reason of this agreement.

Mr. BINGAMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I believe a unanimous-consent request is pending. Is that the order of business?

The PRESIDING OFFICER. The Senator is correct.

Mr. BINGAMAN. Mr. President, I object.

Mr. HATFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, the first title to this supplemental appropriations bill addresses two components of our defense financing. First, it provides \$1.96 billion to ensure military readiness through the remainder of this year. Second, it proposes \$1.96 billion in rescissions to fully offset the new budget authority and outlays for 1995.

We received the administration's request and we scrubbed it a little bit, and we recommended that \$600 million be deleted from the amounts proposed by the House in accordance with the request of the administration.

These come in three categories. The request proposed advance funding of reimbursements from Kuwait and the United Nations. In two instances, we spent defense money already appropriated for other purposes for the purpose of sending troops to Kuwait or to assist in support of the United Nations in peacekeeping activities. I believe we should rely on our allies and on the United Nations to fulfill their commitments, and that we need not put up taxpayers' money in advance of the re-

ceipt of the payment that they are already committed to pay to us.

The request proposed \$70 million in military construction and facility upgrades at Guantanamo Bay naval station to support Cuban refugees now interned at that installation. Now, here again, Mr. President, together with some of our staff, I journeyed to Guantanamo Bay to look at the situation and I am convinced that the amounts that have been requested should await a total congressional assessment on the policy of the refugee internment camp at Guantanamo Bay. I believe that can be addressed in the 1996 defense and military construction bills. Those may not be decisions to be made in the appropriations process. They may be made by the Armed Services Committee in its deliberations and recommendations to the Senate and to the Congress as a whole.

Finally, several amounts were proposed that were not justified as emergencies or were unrelated to the contingency operations in Cuba, Haiti, Bosnia, and Kuwait. Many of those also can and should be addressed through the normal reprogramming process of the Department. We, as a nation, face a crisis in military readiness because the administration spent money on contingency operations in excess of amounts provided by Congress.

The 1995 defense appropriations bill included many increases in the budget for readiness, training, recruiting, and maintenance of facilities in military housing. These are the very priorities that were put at risk by the President's decision to engage in operations in Bosnia, Haiti, Kuwait, and Rwanda without approval and support of funding for those activities by the Congress. The President did not come to the Congress in advance of these deployments to seek funding or to propose offsets in existing authorizations.

Instead, money provided by the Congress for training, logistic support, and personnel, were diverted to these accounts. This practice is in stark contrast to how the Congress and the White House approached the Persian Gulf war. As we proceed through our review of the Department's 1996 budget, I believe we must address the fiscal controls that permitted the administration to delete vital readiness accounts early in the year without the explicit consent of the Congress.

As I said before, it is my understanding that that may come from the Armed Services Committee. I know that some of my colleagues, including my fellow Senator from Alaska and the distinguished chairman of the Foreign Relations Committee will offer amendments to tighten controls on DOD consultation with the Congress. Members of the committee discussed at length the issue of offsetting the new spending in this bill and the precedent set for emergencies.

While the military requirements are urgent, they can be met by reductions to programs that Congress might have

reduced if we had known the cost of the contingency operations to begin with.

The current deficit crisis makes it necessary that the amounts in this bill be fully offset. That is the judgment of our committee. That presents the committee with only hard choices, especially when the choices have to be made this late in the year. That simply means that we would have a lot more flexibility in the beginning of the fiscal year to eliminate some accounts than we do now because many of the accounts have already been spent out to the point where it is not possible to include them in the readjustments made in this bill.

In general, the recommendations before the committee reflect cuts in programs where spending can be controlled. Many of the programs we seek to reduce have merit, Mr. President, great merit. We have provided funding for these programs in the past and even in this current fiscal year.

I want to tell the Senate that I am confident that Congress will revisit some of these in the 1996 bill. But at the present time we have no alternative to find some source to obtain the funds to put back into the training accounts so training can be continued. There is a timeframe involved. It must be done so the moneys are available no later than the end of April. We hope that they will be available by April 1.

We have made reductions to the TRP account, environmental and defense conversion accounts. These reflect the availability of funds, and they reflect to a certain extent a change of direction for the programs, but basically it is because that is where the money is that has not been expended in this fiscal year. To the extent that any funds remain available for the TRP in the future, I believe they must be specifically directed and identified military priorities.

The committee proposal strikes a fair balance to proceed to conference with the House, and I would urge Members of the Senate on both sides of the aisle and particularly on both sides of the TRP debate, to endorse the level that is in this bill because it is different from that in the House.

I believe I was the originator of the Defense Environmental Restoration Program but I viewed with increasing alarm the steady increase in spending in that program with little to show for it. Despite the progress in that fund, the Department of Defense still spends only about 50 percent of the amounts in the environmental restoration account for cleanup activities. Almost 50 percent now goes for studies, plans, and legal fees. In comparison, when we build new facilities, the cost for those is about 6 to 7 percent. Only 6 to 7 percent of the funding goes for design, planning and litigation in the planning and building of new facilities.

Now, our cut does not impact any funds provided to meet environmental hazards at bases identified for closure in the 1988, 1991, and 1993 BRAC rounds.

Those funds are appropriated separately in the military construction bill and were not addressed by this bill.

We do face another base closing round this year. I know that, recognizing that two Alaska bases are on the list to be closed: Adak naval station, and Fort Greely at Big Delta, AK. I am sensitive to the defense conversion and transition issues.

Amounts provided in recent bills have gone well beyond the original goals, however, of those programs as they were established when the defense drawdown defense following the gulf wars.

In particular, the cuts proposed by the committees address areas where the Congress has significantly earmarked funds for specific projects. While not canceling or terminating any one project, the Secretary will have to substantially scale back spending in this area. Again, that will have to be done because that is where the money is. If we have to find almost \$2 billion in these accounts at this time, we have to find accounts where the remaining balance will justify taking some of the money out and still leaving the program operable for the remainder of the year. Spending to ease the impact of these defense cutbacks cannot come at the significant loss of immediate military readiness. However, I assure all interested Members that we want to work to ensure the highest priority programs continue to be adequately funded.

Most of the program reductions proposed in the rescission package that we present to the Senate reflect fact-of-life program changes. For instance, the Department terminated the TSSAM missile leaving funds that were appropriated for that project available for rescission. We intend to continue to work with the Air Force to determine what may be the best estimate of amounts available to cut in this area in the conference.

I also want to commend the efforts of Lt. Gen. Dick Hawley and Ms. Darlene Druyun for their efforts to expedite the termination process on the TSSAM missile system, and they are minimizing the cost of that termination to the taxpayers.

Congress also funded six new AH-64 Apache helicopters for 1995 to assure no break in production as we move to the Longbow version of that aircraft. However, new foreign sales have developed, and the Army has indicated that those funds we appropriated for 1995 are not required for new aircraft procurement this year. In conference, we intend to look at Army proposals to shift some of the funding in that account to accelerate the Longbow Program.

This committee also initiated the Arms Program to preserve the industrial base for ammunition production. The cut we have made reflects the amount to expire at the end of this year. The Army has not accounted in the 1996 budget for funds necessary to meet the ammunition stockpile and

training requirements, and we will want to move some accounts around to assure we have the necessary amounts for the 1996 bill.

Finally, the committee has strongly supported the Department of Defense's efforts to procure unmanned aerial vehicles for battlefield surveillance and intelligence. The cut to this item reflects technical delays only in the program. I am personally, and I believe our committee is totally, committed to providing adequate funding for the program based on its readiness for production. When it is ready, we will provide a recommendation to the Senate that it be appropriately funded.

In closing, I know some of the Senate will disagree with some of these rescissions. The options for offsets at this stage are very limited. I urged the Department of Defense to submit this supplemental as early as last December, but because of other considerations, the White House chose to withhold it until February. That delayed our ability to respond to the needs, as I have said, because the spending of other accounts continued and we now have limited flexibility as to where to get moneys from commencing about the first of May. We are dealing with a period between May and September 30 now. We could have been dealing with the period January 1 to September 30 if we had the request early in the year.

Mr. President, the bottom line is we must get these funds to the military services as quickly as possible, as I said, by the end of this month if at all possible. That commitment must guide our work to complete this bill, I hope, today or early tomorrow at the latest.

There are a series of impacts. I asked the Chief of Naval Operations, Admiral Boorda, to tell us what might happen to the Navy, for instance, if we do not get this money to the Navy in time. He has told me if he does not have the money in time, he faces the option of deferring all maintenance on small naval craft and tugs for the Atlantic fleet.

He will have to reduce the maintenance on two aircraft carriers and will have to delay one submarine overhaul.

He may have to delay maintenance on naval facilities worldwide.

He has to stop flight training for two carrier air wings that are currently preparing for deployment. That is very dangerous, Mr. President. These people stay at home, fly a very low number of hours, and just before deployment they always get back and get their readiness up to very top performance. We have two aircraft carriers ready to go to sea. I talked about them this morning with some people in the Department. It makes no sense for us to delay aircraft carriers and not have our crews at the peak of their performance, as would be possible if these funds had not been diverted. They must be replaced as soon as possible.

In addition, there are some other things that are going to happen if these

funds are delayed even longer than we currently anticipate they could be:

There are seven additional Atlantic fleet ship overhauls.

There is a proposal to stop Naval Reserve flying for C-9 and P-3 aircraft;

To stop flight training for carrier squadrons returning from deployment. There, again, after they come back, the long steam coming back, before they are allowed to take some time off they again go through and try to bring their readiness up to peak so, if they are called back, they can continue to be ready. They do not get the type of training on deployment that they can get here at home when we have the electronic ranges that can be used and the kind of training that can be obtained as they prepare for deployment or return from deployment.

Last but not least, we are down to the point where there will be no spare parts for the last 40 days of this year if these moneys are not put into the accounts and the spare parts made available.

I remember the days, Mr. President, when we had vessels in Norfolk and other ports that could not leave port because they did not have spare parts. That just cannot happen at a time like this when we have reduced our forces and we are trying to maintain the readiness of the smaller force that we have.

I certainly hope the Senate will listen to us and the Congress as a whole will act as rapidly as possible on this request for supplemental funds, to request those funds which were diverted from training accounts for the peace-keeping operations.

Mr. INOUE addressed the Chair.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Mr. President, may I begin by first commending my distinguished colleague from Oregon, the chairman of the full committee, Mr. HATFIELD, and my dear friend from Alaska, the chairman of the subcommittee, Senator STEVENS, for coming forth with this bill. Difficult decisions had to be made, and they made them. Difficult recommendations have to be made to the Senate, and these recommendations are now being presented.

Together they have crafted a bill which balances the needs of the Department of Defense and our committee's desire not to increase the deficit. As the Senator from Alaska indicated, this bill provides \$1.9 billion in new appropriations requested by the Department of Defense to cover emergency expenses. However, it is some \$600 million less than DOD wanted, but it provides a reasonable amount, considering the committee's goal of offsetting new appropriations with rescissions.

But, Mr. President, I think I must inform my colleagues that I am concerned with the guidelines that govern the committee's efforts with this DOD supplemental, and I hope it will not be



viewed as a precedent for future emergency supplementals.

The Budget Enforcement Act requires that, in general, discretionary spending must be constrained to stay within ceilings established in the budget resolution. However, Mr. President, this agreement allows these ceilings to be breached if the President and the Congress agree that these funds are needed to meet emergency requirements. The President submitted his request for DOD funds as an emergency and the House agreed.

The House recommended rescissions of \$3.2 billion to offset the budget authority it added for DOD so as not to add to the long-term deficit.

The Senate Appropriations Committee-reported bill has gone one step further. This bill that we are discussing this moment has dispensed with the emergency designation for the DOD supplemental and, therefore, under Senate rules, the committee must offset both budget authority and outlays recommended in this bill.

With this action, I hope that the Senate is not charting a new and hazardous course.

The Defense Department does not budget for emergency expenses. On several occasions, the Congress has denied past administrations' requests to establish contingency accounts which could have been used for emergencies and crisis response. The Congress has recommended instead that DOD request supplementals to cover such emergency costs.

It has always been anticipated that for expenses necessary to cover emergencies, funds would be added to the current budget, not reallocated from existing resources. In this bill, we are requiring DOD to use its existing resources to cover costs of emergencies. This is contrary to the intent of the budget agreement, and I hope that we are not making a mistake.

I am told that the Secretary of Defense and the Chairman of the Joint Chiefs of Staff regard this recommendation with grave concern. I do not disagree with the specific rescission recommendations by the committee, though they were difficult to make, because I believe that under the circumstances, they are reasonable and they represent the best options for offsetting the budget authority and outlays contained in the supplemental.

However, by rescinding these funds today, there will be few resources available to cover the so-called must-pay bills which we know the Pentagon will face later this year. The Defense Department has already identified nearly \$800 million in must-pay bills. It expects this total unfunded requirement to reach about \$1 billion.

These must-pay bills are not considered emergencies under the terms of the budget agreement. Therefore, they will have to be paid from within available funding. And where is DOD to find these funds if Congress has already rescinded \$1.9 billion?

Mr. President, I am of the impression that all of us in this body, Democrats and Republicans, are supportive of the need to maintain the readiness of our military forces. By requiring that these unforeseen emergency expenses must be offset, the committee is virtually guaranteeing that when shortfalls occur in other areas of DOD funding, they will have to be made up by cutting readiness spending.

Mr. President, I hope I am wrong, but this is a very serious matter. I am greatly concerned that in the future, the Chairman of the Joint Chiefs will object to the requests of our civilian leaders to use military forces overseas for crisis response and for emergencies because they believe it will be damaging to the overall readiness of the force. They may realize that if they must pay for these costs out of their own hide, they will have to cut readiness to do so.

So I hope that all of us will think hard and long about the decision we are about to make today. I will be supporting this measure, and I do so with a clear conscience, and I will be very proud and happy to say publicly that I rely upon the judgment, the good judgment of my two dear friends from Oregon and Alaska.

Mr. President, the chairman of this committee has drafted a good bill under the circumstances, and I look forward to working with him in conference on these issues.

Mr. President, the chairman of the subcommittee brought up a matter which is dear to the hearts of some of my colleagues on this side of the aisle, the so-called TRP. It should be noted that the House by its action took out \$500 million, and though there are many in this body who support the House action, the chairman of the committee and the chairman of the subcommittee took a courageous stand to say we will cut only \$200 million.

I know this is not the full amount, but I think under the circumstances it is an amount that we can live with, and so I hope that those who are considering proposing an amendment to restore the funds will think about this because I think the committee made the proper recommendation under the circumstances.

I thank the Chair. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. SNOWE). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. THURMOND. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from South Carolina.

Mr. THURMOND. Madam President, as we debate the Defense supplemental appropriations bill, I want to ensure that my colleagues and the managers of the bill are aware of some of the underlying problems with the way this supplemental was crafted.

First let me say the supplemental is necessary, and I intend to support the bill. The bill is designed to replace critical readiness and training funds which the services had to spend in the first half of this fiscal year for humanitarian and other so-called peace operations. If we do not replace those funds, military readiness will continue to decline. Combat readiness has declined too far already. The Nation cannot afford to let it erode further. It angers me that the administration has allowed readiness to suffer at all. Under these circumstances, it would be irresponsible to require the military departments to further curtail training and maintenance, and cause more degradation in combat readiness.

While this supplemental is necessary, I was surprised to see that the Appropriations Committee chose to fully offset the costs of these peace operations, which were ill-conceived and not approved by the Congress, from within the fiscal year 1995 Defense budget. In others words, under this bill the Department of Defense must fund those operations totally within its existing budget.

I have said over and over that the defense budget has been cut too much, too fast. I have strongly supported an increase to the President's budget request to bring fiscal year 1996 defense funding level with fiscal year 1995, adjusted for inflation. This supplemental, in effect, reduces funds available for defense in fiscal year 1995 by requiring these externally imposed operations to be absorbed within the current defense budget.

This is a very complex and difficult issue. Fortunately the Appropriations Committee has offset these extra costs with programs which, for the most part, can be called nondefense items; or programs which the Defense Department could not execute in this fiscal year. By fully offsetting the supplemental appropriations, the deficit is not increased. In fact, title II actually reduces the deficit from domestic accounts.

I am a strong supporter of removing nondefense items from the defense budget, and have long been a supporter of a balanced budget and reducing the deficit. However, I am concerned at the precedent we may be setting by finding all the offsets in the current defense budget.

I do not support using our military forces as a global police force or social service agency, deploying them all over the world without the expressed approval of the Congress. We have reduced our Armed Forces and defense resources to dangerously low levels. Now it is questionable whether we can defend our vital interests in a conflict with one or more major regional powers. Consequently, I do not want the administration to regard approval of this supplemental appropriations bill as endorsement of their expanded peacekeeping activities abroad, nor of



their plan to pay for these excursions with current defense funds.

In closing, I reiterate my support for this Defense supplemental, but urge my friends on the Appropriations Committee to consider the method used in preparing this bill as a one time event, and not as a model for future supplemental appropriations for the Department of Defense.

I thank the Chair; I yield the floor.

AMENDMENT NO. 321

(Purpose: To express the sense of the Senate affirming the importance of, and the need for, cost-shared partnerships between the Department of Defense and the private sector to develop dual-use technologies)

Mr. BINGAMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Madam President, to the first amendment of the committee, I send a second-degree amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN], for himself, Mr. NUNN, and Mr. LIEBERMAN, proposes an amendment numbered 321:

At the end of the amendment add the following:

SEC. 110. It is the sense of the Senate that (1) cost-shared partnerships between the Department of Defense and the private sector to develop dual-use technologies (technologies that have applications both for defense and for commercial markets, such as computers, electronics, advanced materials, communications, and sensors) are increasingly important to ensure efficient use of defense procurement resources, and (2) such partnerships, including Sematech and the Technology Reinvestment Project, need to become the norm for conducting such applied research by the Department of Defense.

Mr. BINGAMAN. Madam President, let me very briefly describe the amendment and yield to my colleague, Senator NUNN, who wants to make a brief statement also. Then I will describe it in a little more depth for my colleagues.

This amendment expresses the sense of the Senate—and that is all it is, a sense-of-the-Senate amendment—that cost-shared partnerships to develop dual-use technologies are important and increasingly important to ensure the efficient use of our defense resources. It specifies that these partnerships, including the technology reinvestment project, need to become the norm for conducting much of our applied research in the Pentagon.

This language came out of the work of two different task forces, the Democratic task force back in 1992, which Senator PRYOR chaired, and the Republican task force which Senator Rudman chaired. Members of this body who were part of that Rudman task force include, of course, Senator STEVENS, Senator LUGAR, Senator COHEN, Senator HATCH, Senator DOMENICI, Senator MCCAIN, Senator LOTT, Senator WARNER, and there were others as well. Out of the work of the two task force

groups we developed a bipartisan consensus which began during the Bush Presidency and has continued through the Clinton Presidency that this way of funding for defense purposes was an important effort to pursue.

I believe this amendment helps to reaffirm that principle, and for that reason I offer the amendment. As I pointed out, it is a sense of the Senate. It does not try to change the dollar figures as they come out of the supplemental agreement.

I want to compliment the Senator from Alaska and the Senator from Hawaii in the work they have done in the subcommittee to try to do what they could to ensure that this important program, the technology reinvestment project, continue, and also to find the funds necessary to meet the needs of our Department of Defense at this crucial time.

I will explain the amendment in some more detail in a moment. I would like at this point to yield the floor and allow the Senator from Georgia to go ahead and speak.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. NUNN. Madam President, I rise in support of the amendment offered by my colleague from New Mexico. I appreciate the pressures on the Appropriations Committee. The Senator from Alaska and the Senator from Hawaii have done a commendable job in trying to handle this supplemental under very difficult circumstances.

I share the sentiments expressed by the Senator from South Carolina about the overall supplemental. I hope it is viewed as a one-shot proposition, because if we are sending a signal to the Department of Defense that any time there is an emergency that comes up and they come over and request supplemental funds that they are going to have to have 100 percent offset, then we are going to change the nature of the responsiveness of the Department of Defense itself to the missions that may, indeed, be crucial to our Nation's security.

One mission comes to mind on a hopefully hypothetical basis, but it could become a reality. We may get into a situation, even in the next 30 or 45 days in Croatia, where the United Nations is ordered to get out of Croatia. There is no doubt that this evacuation could precipitate more fighting in Bosnia, and could even require rescue missions to get U.N. personnel who are in harm's way in Bosnia out of that war-stricken area.

And if the Department of Defense is told that anything they do in that kind of rescue mission with NATO and with the United Nations is going to have to be a 100 percent offset, and they are going to have to basically kill or substantially alter crucial defense programs in order to absorb that, then that is going to be a very strong signal that the United States is not going to be as involved as we have been in world affairs, including commitments to our

allies and commitments that we have voted for at the U.N. Security Council.

So this complete offset sounds good in speeches but it has very serious implications for the Department of Defense. Make no mistake about it, this complete offset policy means the long-term readiness of the Department of Defense is going to go down. It does not mean that the immediate readiness is going down because that can be protected. But future readiness requires modernization, it requires research and development, and those are the programs being cut by this complete offset policy. So 5, 6, 7 years from now, people will have a very serious problem with readiness if we continue to declare there is no emergency even when our forces are responding to the unanticipated events that we all know will take place in the world from time to time.

I hope this is not viewed as precedent. As my friend, the chairman of the committee, the Senator from South Carolina, said: If this is a precedent, we are going to have some serious problems.

I know the Department of Defense worked with the Senator from Alaska and the Senator from Hawaii in identifying offsets. I know they are still concerned about certain programs, such as the program Senator BINGAMAN is discussing, the technology reinvestment program, which is one of the programs that is being severely impacted by this supplemental.

Also, environmental cleanup is being impacted severely under this bill. And that environmental cleanup is not only something that has to be done in base closures, but we have solemn commitments to Governors in a number of States that we are going to carry that out. And as we cut back on these environmental impact funds in the Department of Defense, make no mistake about it, there are going to be lawsuits involved, litigation involved, contractual obligations that are going to have to be breached. I do not say that all of that is going to flow from this bill. But it is going to flow if we continue to have to take these kinds of actions.

So I understand the Senator from Alaska has worked very hard on this, as has the Senator from Hawaii, who has put up a warning light about the direction that this bill takes us in. I hope that not only the Appropriations Committee—because they are carrying out, I have no doubt, the will of the majority here—but I hope the majority itself will think about the implications for defense. Because one of the things in the Contract With America, and in other commitments made by those on both sides in running for office, was a strong national defense and protecting readiness. The problem is, Madam President, readiness is being defined as just the next year or two, when readiness has to be defined over the next 5 to 10 years. And readiness, by that definition, includes research and development and includes procurement. And

without the kind of long-term commitment to research and development and to procurement, we simply will not have modern and ready forces 5 years from now or 10 years from now.

So I rise in support of the amendment offered by my colleague from New Mexico. I support the TRP Program as one of those crucial programs for future military readiness for several reasons. First, it is our bridge to the future for the technology needs of the Department of Defense. We all know how difficult it has become to fund the technology programs we know we will need for the forces that will be in the field 10 years from now and 15 years from now. We are having to depend more and more on research conducted by the civil sector of our economy.

For a long time the research and development flowed from defense to the civil sector. That is still true in some cases, but increasingly a larger and larger percent of our crucial defense technology is flowing from the civilian commercial sector to the Department of Defense. The Defense Department can no longer afford to be the leading edge of every technology. TRP gives us access to those dual-use research projects that will benefit both the defense and the commercial sectors.

Second, because the research is dual-use, it is cost shared. Industry is paying the bulk of the cost in most of the TRP projects. This means that for every dollar we put in the TRP program we get from \$2 to \$10 of research that helps our defense efforts from the private sector. So this is leveraged money. We get a lot more back from the private sector than the Federal dollars we put in.

Third, the TRP program is competitive. It is not in any way pork. It is based on merit and on competitive selection. The research goes to those institutions that propose the most important research projects and who propose the best cost-sharing arrangements. This is how we assure ourselves that the work is important. Industry would not put their money or time on the line if they did not think the research would pay off for them and for the Nation.

So I urge my colleagues to support the Bingaman amendment, which does not, as I understand it, shift funds but which expresses the strong sentiment of the Senate on these programs.

I urge my colleagues on the Appropriations Committee, Senator STEVENS and Senator INOUE, to do the best they can in conference to hold the Senate mark and not to cut below the Senate mark, which is already going to take this program to a point of some jeopardy.

So I thank the Senator for his leadership. This has been a subject that he has led in the Senate Armed Services Committee and in the Senate and in the Congress. In my view, the Senator from New Mexico has done a great deal of meritorious work for our long-range

national security by taking the lead on this program. So I thank him for his leadership, and I thank him for yielding.

Mr. BINGAMAN. Mr. President, I want to thank Senator NUNN of Georgia, the ranking Democrat on the Armed Services Committee, who was the chairman of the committee at the time that we began these programs several years ago while President Bush was in the White House.

Let me just go through a few statements to indicate the broad range of support for the general principle that I am talking about here.

First, let me cite from the report of the task force that former Senator Rudman chaired, a Senate Republican Task Force on Adjusting the Defense Base. The report was published in June 1992. It was a report which was well received. Senator PRYOR championed and chaired a similar group on the Democratic side. Let me just cite a few sentences from the report of the Rudman committee.

The task force believes that increased funds should be devoted to the development of so-called dual-use technologies—that is, technologies that have application both for defense and commercial markets—by entering into partnerships with the private sector. Dual-use technologies will be increasingly important to ensure efficient use of defense procurement resources, and advances in this area will have the added benefit of strengthening the U.S. commercial sector. In order for these projects to be effective, there should be a requirement that half of the funding be provided by non-federal participants.

I also want to cite a statement issued by the White House in September 1992. This was, of course, while President Bush was in the White House. This was, I believe, a statement that that administration and that President felt strongly that these were worthwhile activities. On the 15th of September the statement was issued by the President's Press Office.

The President today transmitted to the Congress budget amendments for the Department of Defense that would reallocate \$250 million of the Department's fiscal year 1993 request to defense advanced technology programs. The reallocated funds would be used in the areas of communications, high performance computers, small satellites, sensors to identify environmental contamination and manufacturing technology. These areas are essential to national security, and also have dual-use civilian applications. The funds for these advanced technology programs would be reallocated from lower priority defense programs.

Madam President, the views that were expressed in 1992, both by the group of Senators who participated in the Rudman task force and by the White House under President Bush, were echoed very recently in a hearing we had before the Armed Services Committee where I asked, first, General Shalikashvili, Chairman of the Joint Chiefs of Staff, what his view was on the value of these types of programs and where they fit in the priorities of the administration today.

He said, and let me quote his response to my question.

Senator BINGAMAN, I am first of all extraordinarily enthused about the possibilities that exist out there for us to take a major step forward and a major step forward in comparison to all of our potential adversaries in this area that you described, dominant battlefield awareness. Through our advances in microelectronics, satellite technology and what not, we have the ability to see and be aware of what is going on on the battlefield to a degree that will literally, I believe, revolutionize warfare. So this is not just making sure that we have the next best tank or the next best destroyer. This is an effort to really take a major step forward.

Now, much of the technology for that, we believe, probably already exists out there in the commercial world, and certainly those companies like AT&T, and others that are working on projects, where these same pieces are necessary commercially, that we need to be aware of it, capture it, integrate it into the work that we do so that we not only capture the very best that is out there, but do not spend taxpayers' money trying to reinvent the wheel in our own laboratories.

Let me cite one other authority in this field, Madam President. This comes from sometime further back in our history. The year is 1946. We have a memo from the Chief of Staff of the Department of the War. He says in that memo. This is, of course, following the Second World War.

The Armed Forces could not have won the war alone. Scientists and businessmen contributed techniques and weapons which enabled us to outwit and overwhelm the enemy. Their understanding of the army's needs made possible the highest degree of cooperation. This pattern of integration must be translated into a peacetime counterpart which will not merely familiarize the Army with the progress made in science and industry but draw into our planning for national security all the civilian resources which can contribute to the defense of the country.

That is a statement, of course, from General Eisenhower shortly after the Second World War. So the concept that we are arguing for here—integration of our military and commercial technology bases—the importance of this principle, I think has been recognized for a long time.

The superpower, in a defense sense, the superpower in the 21st century will be that nation that best leverages its national technology and industrial base to achieve critical defense goals. Dominant battlefield awareness is one of those recognized goals of our Defense Department today, and clearly emphasis on these dual-use technologies is important for us to achieve that dominant battlefield awareness. That is the view of General Shalikashvili.

DOD-industry partnerships have been successful. Our \$700 million investment in SEMATECH over the past 8 years, which has been matched by industry, has been an enormously more productive investment than some of our earlier investments in defense-specific semiconductor research.

Secretary Perry also has come out very strongly in support of this. Let

me just cite a quotation from him before I conclude, Madam President, because he spoke well the other day about the importance of these programs. I asked him where these stood in his list of priorities, and he said, and I quote:

I consider it [the Technology Reinvestment Project] one of our highest priority programs. I hope I have the opportunity with the Congress to defend—to vigorously defend—the importance of this program. I think some of the moves to rescind it and criticize it are made from some confusion as to what the program is. It is being confused with some of the technology earmark programs which have been added by Congress in past years. I would remind all of this committee—

That was the Armed Services Committee.

that all TRP programs are competitive. Indeed, they are highly competitive. There are many—indeed, sometimes dozens of—companies submitting proposals on them. So we get the best out of many different proposals. And secondly, all of them are funded 50 percent by industry; at least 50 percent by industry. So they are very highly leveraged. We get quite a good benefit from this. We depend in the future on being able to integrate our defense technology base into the national technology base and this TRP program is an absolute key to doing that, and any individual TRP program is a good deal in and of itself.

Madam President, that sums up the case. I think the procedural situation we find ourselves in has been alluded to before. Let me just reiterate it. We have a proposal from the House of Representatives which would rescind the \$502 million in the TRP; the entire amount.

The appropriators here on the Senate side have concluded that they have to, because of the other pressing needs of the Defense Department, rescind \$200 million. Quite frankly, that is a very, very major cut in this program which I think will undoubtedly do damage to the program. But I am willing to defer to their judgment. I am willing to do as all of us will have to do in the coming months; that is, tighten our belts to deal with our budgetary problems. I am willing to take their commitment that they will go to conference and fight as best they can to maintain the Senate position and keep this program alive and healthy.

This is a very high priority for our Department of Defense. I believe it is a high bipartisan priority for many here in the Congress.

Madam President, before I conclude and sit down, let me just indicate, as cosponsors on the amendment that I have sent to the desk, I want to list Senators NUNN, LIEBERMAN, ROCKEFELLER, and BOB KERREY from Nebraska.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BINGAMAN. Madam President, I yield the floor.

Mr. INOUE addressed the Chair.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Madam President, I wish to commend my distinguished colleague from New Mexico for his extraordinary leadership in guiding the TRP policy and program throughout all of these years.

I wish to, at this time, provide to my friend from New Mexico my personal assurance that everything possible will be done to maintain the Senate position on this matter. Thank you very much.

Mr. MCCAIN. Madam President, I do not intend to oppose what the managers seek. This is a voice vote on this amendment, primarily because it is a sense-of-the-Senate amendment.

I will have a lot of remarks to make about the TRP program and about where it should be in the priority list of the needs of the American defense establishment. My amendment that will be forthcoming will address the TRP. I will save my remarks for that eventuality, which I hope will take place as soon as this amendment is disposed of.

Let me just say that there are a lot of nice-to-have things that we should use our defense funds for. There are a lot of very necessary and vital things and missions and purposes that are not being fulfilled now. I do not rank TRP as one of those that is vital. I view it as one that is nice to have.

I have very serious question about the criteria that are used and, indeed, many of the funding of specific projects, which I will name when I get into my amendment.

With that, I yield the floor.

The PRESIDING OFFICER. Is there any further debate on the amendment?

Mr. STEVENS. Madam President, I want to set the stage for consideration of this amendment. The House proposed rescission of \$502 million in what is known as this Technology Reinvestment Program [TRP]. TRP will be in conference, in other words.

Our committee responded to the Department of Defense's appeals to the Senate to support the TRP program. To date, the Department has received 3,000 proposals for TRP, and selected only 251 for funding. It is an extremely competitive process which has produced about an 8.5-percent success rate. That is unfortunate.

The Senate recommendation allows the Advanced Research Projects Agency [ARPA], the agency of the Defense Department that has jurisdiction over this program, to continue the ongoing TRP projects. We have provided enough funds to begin new projects and to continue, as I said, the ongoing projects. The new projects will focus on areas selected by the military services themselves.

This is a mandate promoted by our committee and approved by Congress. The Senate's proposed rescission will reinforce Congress' requirement that we mean to assure that defense needs are the dominant element in each TRP project and will eliminate funds for

projects that do not have defense relevance.

Indeed, the Congress took specific legislative steps to ensure this greater service role in the TRP effort.

First, Congress mandated that the Assistant Secretaries for Research, Development, and Acquisition for each of the military services be made full members of the council which approves all TRP projects.

Second, the Congress directed that \$75 million in fiscal year 1995 TRP funds were to be available only for projects selected in areas of interest designated exclusively by the military service acquisition executives.

Every TRP project includes at least 50 percent cost share from the teams performing the work. Thus, the Pentagon is able to get twice as much or more for each Federal dollar invested in these programs.

While a lower level of investment in TRP is in order as we search for funds necessary to restore the readiness, as I mentioned before, we do not believe we should terminate this program.

I also think it is noteworthy, Madam President, that the sense-of-the-Senate resolution here mentioned Sematech. Sematech is a consortium of major U.S. chip manufacturing firms. Sematech has achieved a number of things. However, the consortium has received substantial Federal funding for 3 years more than was originally planned.

Sematech demonstrates that we must set firm, clear objectives for these projects and limit the efforts to a definite, finite duration. These efforts cannot become entitlements which annually drain the DOD's limited budget dollars.

I do not want to leave the impression that these projects have not been successful. I have a list here of the projects which we feel do contribute to Department of Defense needs.

Mr. President, I ask unanimous consent that that list be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### A LIST OF TRP PROJECTS WHICH CONTRIBUTE TO DOD NEEDS

Affordable Composites for Propulsion (Value—\$25.0 million, Prime—Pratt & Whitney, West Palm Beach, Florida).

Precision Laser Machine (Value—\$33.8 million, Prime—TRW, Redondo Beach, California).

Uncooled Low Cost Infrared (IR) Sensors Technology Reinvestment Alliance (ULTRA) (Value—\$9.2 million, Prime—Inframetrix Inc., North Billerica, Massachusetts).

Trauma Care Information Management System (Value—\$15.1 million, Prime—Rockwell International Corporation, Richardson, Texas).

Digital X-Ray system for Trauma and Battlefield Applications (Value—\$6.1 million; Prime—General Electric Corporate Research & Development, Schenectady, New York).

Next Generation High Resolution & Color Thin Film Electroluminescence (TFEL) Displays (Value—\$29.2 million, Prime—Planar Systems, Inc., Beaverton, Oregon).

Developing Speech Recognition for Future DSP's in Hand Held Computers (Value—\$3.0 million; Prime—Dragon Systems, Inc., Newton, Massachusetts).

Development of Monolithic Motion-Detecting Components Made with MEMS Technology (Value—\$7.6 million; Prime—Analog Devices, Inc., Wilmington, Massachusetts).

Wearable Computer Systems with Transparent, Headmounted Displays for Manufacturing, Maintenance, and Training Applications (Value—\$5.1 million; Prime—Boeing Computer Services, Bellevue, Washington).

Object Technology for Rapid Software Development and Delivery (Value—\$24.5 million; Prime—Anderson Consulting, Chicago, Illinois).

Portable Shipbuilding Robotics (Value—\$12.5 million; Prime—CYBO Robots, Inc., Indianapolis, Indiana).

Mr. LAUTENBERG. Madam President, I rise today in support of the amendment offered by my colleague from New Mexico. I would also like to commend my colleague for his strong leadership on this issue.

At a time when we must be very prudent in allocating our resources, dual use defense programs, like TRP and Sematech can prove to be a good investment. These programs enable the Department of Defense to competitively leverage Federal dollars with private sector matching funds to better meet our defense—and domestic—needs.

If we are serious about balancing the budget and getting our fiscal house in order, then we are going to need to find additional savings in all areas of the Federal budget, including the defense budget. As the defense budget declines, it will become cost prohibitive for the Department of Defense to sustain a separate defense industrial base, which in many cases might very well be duplicative. Programs like TRP and Sematech capitalize on presently available new commercial technologies to meet military needs. In an era of limited resources, these programs enable us to make better use of the funds that are available.

The TRP has come under some scrutiny for ineffective management of late. And I would agree that, like most every other program in the Federal Government, TRP could be managed more efficiently. But that is not a reason to cut funding for what is on the whole a good program.

Dual-use programs, like TRP and Sematech, allow the Department of Defense to maximize its research and development dollars. For its part, the Department of Defense gets technologies which are critical to our Nation's military needs. While the companies, on the other hand, get technology which will enable them to compete more effectively in the global marketplace.

Mr. STEVENS. Madam President, if there is no further comment, I ask for a voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

So the amendment (No. 321) was agreed to.

Mr. BINGAMAN. Madam President, I ask unanimous consent that Senator KENNEDY be added as a cosponsor of the previous amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. I move to reconsider the vote.

Mr. MCCAIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### PRIVILEGES OF THE FLOOR

Mr. STEVENS. Madam President, I ask unanimous consent that Mr. Joseph Fengler and Mr. Sujata Millick be permitted privileges of the floor during consideration of this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDMENT NO. 322

Mr. MCCAIN. Madam President, I have an amendment at the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], proposes an amendment numbered 322.

Mr. MCCAIN. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 21, line 9, strike out "\$300,000,000" and insert in lieu thereof "\$150,000,000".

On page 22, line 15, strike out "\$351,000,000" and insert in lieu thereof "\$653,000,000".

Mr. MCCAIN. Madam President, this amendment would restore half, \$150 million, of the committee-recommended cut in defense environmental restoration account, and the amendment would offset this spending with rescission of an additional \$302 million in the Technology Reinvestment Program known as TRP.

The net effect of the amendment is to reduce defense budget authority by \$152 million and outlays by \$110 million in fiscal year 1995, which could be credited to deficit reduction.

Madam President, first of all, in the past several years, as we all know, the Department of Defense has experienced significant increases in the cost of environmental cleanup, as have most public and private industries. All we have to do is look at the Superfund and know of the enormous challenges that face this country in the area of environmental cleanup.

Because of these costs, I think the reduction of \$300 million in defense environmental restoration is too severe a reduction. In addition, my colleagues should be aware that the account which is being cut will be the source of funding to clean up at bases recommended for closure in the 1995 round, at least until the 1996 appropriation of BRAC cleanup is approved. Cutting this account could therefore have an effect on the cleanup of bases that are being closed.

Finally, Madam President, State and local governments have the ability under the law to enforce stricter standards for cleanup than Federal law requires. State and local governments also have the ability to levy fines and penalties against the Department of Defense if it fails to comply with these standards. If too much is cut from this account, then the Department of Defense may find itself using environmental restoration funds to pay fines and litigate court cases arising from noncompliance with State and local laws. That does not seem to be an efficient use of these limited dollars.

Madam President, the fact is that when we close a base or even if we have an open base and there is an environmental problem on those bases, I think our obligation is clear. Our obligation is clear that we clean up that base. Clearly, it is a very expensive proposition. And there is no doubt that if we cut these funds, somewhere there will be military installations that are environmentally unsafe.

I do not see how we get around that obligation. I do not see how we can just cut money for environmental cleanup and ignore the very severe situations that exist today. There is a base in my own home State. It will be many years before the environmental cleanup is completed. The estimate of the cost of that cleanup, by the way, has increased by a factor of 10 since the base was recommended to be closed just 3 years ago.

So, I do not really understand how we rationalize a reduction in environmental cleanup funds. I do not think my record indicates that I am some kind of a wild-eyed environmentalist, to say the least. But I do not see how we cannot fulfill the obligation that we have to the taxpayers of America, and that is to clean up defense installations which reside in their States and their communities that are in need of environmental cleanup.

Let me talk a little bit about the TRP, which is obviously a very attractive program to many. It is the Technology Reinvestment Program. First of all, the selection criteria which I quote from the ARPA program information package for the Technology Reinvestment Program for the 1995 competition states that the criteria should be for technology development competition only incorporating all statutory selection criteria for the three statutory programs under which the competition is being conducted. They should be defense relevant. Results of future commercialization of product or of the process are as follows: critical defense technology is preserved; a defense capability is more affordable; or—and I emphasize "or"—a significant improvement in house safety or environment, especially in manufacturing, is accomplished.

Madam President, that "or" seems to be the operative clause here. Otherwise, I do not see how in the world we would approve of the San Francisco

Bay Area Rapid Transit Authority receiving \$39 million for a 2-year effort to demonstrate a precision location system for trains in tunnels. I do not see how that is a critical defense technology being preserved or a defense capability being more affordable.

And, \$6.9 million was awarded to a consortium of businesses and government entities based in the Southeastern United States to assist small businesses and in developing pollution prevention and environmentally safe industrial processes; \$15.8 million was awarded to demonstrate the feasibility of establishing online linkage of medical data bases among medical centers in hospitals across the United States; \$7.6 million was shelled out for a project designed to develop highly efficient power electronic building blocks to convert, control, and condition electricity to meet U.S. commercial electrical requirements.

Madam President, in my view, it would take a great leap of the imagination to view those as a critical defense technology being preserved or defense capability being more affordable. It probably meets a significant improvement in health safety or environment, or it could be construed as such.

The fact is that the TRP is probably a very nice thing to have. Last year, in the fiscal year 1995 National Defense Act, I sponsored legislation to require the GAO to independently assess the TRP awards in the context of the objectives specified in law.

Although the review is not yet complete, GAO's tentative findings show that TRP awards were generally not driven by the military criteria. In fact, GAO found that the panel members who reviewed proposals submitted to DOD for TRP awards were not even briefed on the legislative objectives of the program. Thus, a national security criteria was generally accorded lesser rank weight in the decisionmaking process. The final report of the GAO will be available in May.

We have already spent \$1.4 billion for the TRP program in the past 3 years, in my view, with little to show for it in the way of militarily useful technologies. As a result, I think the action of the House Appropriations subcommittee recommended rescission of most of the 1995 funds for this program, in my view, should be the same.

Let me talk about priorities a second. This is \$302 million that would be earmarked for this particular program, appropriated for this particular program.

Today on the front page of the Washington Post:

Fort Bragg, NC—After decades of neglect, U.S. military housing has so deteriorated that Pentagon leaders say it is discouraging soldiers from reenlisting and thereby handicapping the military's readiness.

Many barracks and family apartments, built soon after World War II, are cramped and suffer from peeling lead-based paint, hazardous asbestos, cracked foundations, corroded pipes or faulty heating and cooling systems.

More than half the family housing is rated inadequate, and Defense Secretary William J. Perry cites the poor condition of military housing as the number one complaint he hears from soldiers on visits to bases.

But at a time of shrinking budgets, Pentagon officials have come up with only some token extra millions of dollars to throw at a problem requiring billions—

I repeat—  
requiring billions to fix.

Madam President, last year, the administration sent over a request that did not include the pay raise for the men and women in the military. There are hints we now have—the quaint phrase—"congressionally mandated pay raises." Congressionally mandated pay raises. That is interesting, because the fact is the pay raises for the men and women in the military to keep up with the cost-of-living should not be congressionally mandated. They should be requested by the administration, which I am happy to see that they are doing with this year's 1996 budget. But for 2 years, there was no request for pay raises for the military.

I do not know how we justify this kind of spending when we have inadequate housing, when we have men and women in the military who are spending incredible times away from home, when we are cutting back on flying hours, steaming hours and training hours, when any objective observer has agreed that we need to improve the readiness, and that readiness is beginning to suffer rather significantly, and yet we have already spent \$1.4 billion, and are now spending an additional \$150 million.

I also want to return for a minute to the issue of environmental cleanup. Unless a base is environmentally clean, or substantially so, a base cannot be turned over to the local authorities, or whoever is involved in the negotiations for the use of that base. We know what happens to the costs of environmental cleanup. And now for us to cut the funding for environmental cleanup, in my view, would be a very, very serious mistake.

I want to say that Sematech is a successful endeavor. Sematech, I believe, has been a wise investment of America's tax dollars, and I also think it is well to point out that 1996 will be the last year that Sematech requires Government appropriations, which is exactly the way it was designed and is exactly the way that these things should be accomplished.

But I suggest that in this era of very tough priorities—in testimony before the Senate Armed Services Committee this morning from the Secretary of the Navy and the Chief of Naval Operations also making clear that their priorities, if there was any additional money, would go to additional aircraft, additional ships, additional pay and benefits for the men and women in the military. Nowhere—nowhere—do I hear any member of the uniformed military even knows what TRP is much less believe that it is a national priority.

So, Madam President, I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Madam President, there is a great deal of what the Senator from Arizona said with which I agree, but I think that he has overlooked the task that we had. We had the task of finding almost \$2 billion, and we are five-twelfths through the year in terms of the moneys with which we are dealing. As a practical matter, the largest account that is unspent is, in fact, that which is entitled "environmental funding."

It is a little bit more than \$5.5 billion, and we are affecting by the recommendations we have made here less than 6 percent of the total funding for the environmental accounts. Other items that we are dealing with, particularly in terms of the TRP funds, represent a great deal more of the account.

Let me just say this: If I had a way now to put the money that is in either account into the military construction bill, I would do that. In the last year, at my request, we added—and that was one of those infamous congressional add-ons to the budget—\$81 million for additional military housing. I wish we could get a greater interest in upgrading this housing, and I think that the story on the front page of the Post is very accurate.

But the problem really is that if we look at the environmental account, which we did in great detail, we are looking at a project where they still plan to spend \$810 million in this fiscal year on studies of these environmental restoration sites. We have eliminated a substantial portion of those studies. That is what our cut does.

We have urged that the Department proceed now and not spend so much money studying these projects and instead do them. They are not that large and they mostly can be done without these enormous nationwide studies. They just seem to be enveloped in studies.

We will have reduced the budget request by \$700 million through this rescission, and it is primarily aimed at that study account. If we look at this account, as I have said, DOD has spent almost 60 percent of all of the cleanup funds we have made available so far on studies. We think that at a time of emergencies such as this is, it is time to reallocate funds. Again, we are not increasing funds for either the TRP, that is the Technology Reinvestment Program, or the environmental restoration account. We are decreasing both. So we are talking about where to cut more.

If we look at the amount of money available, there is a great deal more money available in the environmental

restoration account, mainly because it is reserved for studies which can be conducted next year, if necessary. If they are necessary, we can appropriate money for them in 1996. But right now, there are other projects which are ongoing in the Technology Reinvestment Program. I already put the list in the RECORD.

There is an affordable composites for propulsion project in Florida.

There is a precision laser machine project in California, Redondo Beach.

There is an uncooled low-cost infrared sensor technology reinvestment program in Massachusetts.

There is a trauma care information management system in Richardson, TX.

There is a digital x-ray system for trauma and battlefield applications in Schenectady, NY.

There is a next generation high resolution thin film electroluminescent, what we call a TFEL display, again, with a military impact, in Beaverton, OR.

There is a speech recognition by digital signal processors for hand-held computers, again, defense impact in Newton, MA.

There is a monolithic motion detecting components technology with microelectrical mechanical systems, again it is in Massachusetts.

There is one in Bellevue, WA, wearable computer systems with a transparent head mounted display for, basically, computer services in aircraft.

They are all very high-tech and, as far as we can see, they ought to be continued. We have provided enough money so that we do not have to reduce any of the ongoing projects.

Unfortunately, the amendment of the Senator from Arizona will do that. It will reduce the funds that are available for ongoing projects. It will increase the reduction in the program of the technology reinvestment area, that I just mentioned, by \$302 million.

It restores a portion of the money to the environmental restoration account, money that is really not needed this year. It is there. It is available. It has been appropriated. As a matter of fact, in recent years, there has been a substantial carryover in that account. I urge the Senate to take the recommendation of the committee. It was reached after substantial consultation with both the military services and the civilian people in the Department of Defense. It is a level which no one likes to see reached. The moneys are being reduced for both accounts. But I tell the Senate, if we are going to find \$2 billion and do the least harm to ongoing projects that have already been approved, we should take from the money that is in this enormous account of almost \$6 billion and take it from the area of the planned studies. No ongoing cleanup project should be harmed.

Incidentally, as I indicated in the beginning of my statement, the moneys for base closure environmental studies are already there. We have not touched

them at all. The real emergency areas where we are having to do specific environmental projects, in the process of carrying out the base closure process, have not been at all affected by the recommendations that we have made from the committee.

I urge the Senate to realize that we had before us a rescission from the Technology Reinvestment Program from the House. This will be a conference issue. Both the House and the Senate proposed to reduce that fund but not by the same amount.

When we look at the ongoing projects under the Technology Reinvestment Program in which we have already invested some taxpayers' money, if we are going to use the money efficiently, we should provide enough to carry out those projects, and that is what we have done. That basically is all we have done.

So I do hope that we can keep the TRP funding at the level we have indicated. I do believe the House may insist on changing it somewhat. As a matter of fact, the House is probably going to insist on changing several of the items where we have made changes in their recommendations. But we made an extensive study of this, and I personally had several meetings with the Deputy Secretary of Defense, Dr. Deutch, because of his personal interest in the subject matter and in the concept of technology. We have kept the cut but not at the level suggested by the Senator from Arizona.

I urge the Senate to keep the recommendations of the Senate Appropriations Committee. They were reached after, as I said, substantial consultation with those involved in the projects.

Mr. BINGAMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Madam President, I wish to speak briefly to support the statements the Senator from Alaska has made and the position the Appropriations Committee has come to the floor with in this area.

As I think the Senator from Arizona pointed out, his amendment would do two things, two very different things. It would, first of all, cut and eliminate the technology reinvestment project by rescinding all of the funds in that program, which I think would be a very misguided action by this Congress.

Second, it would restore some of those funds to the environmental cleanup activity. The Senator from Arizona pointed out that he himself has not been known as a wild-eyed environmentalist. I think that was the phrase he used. I certainly think there is some truth to that.

Earlier, after this last election, on December 5, 1994, he and Senator WARNER sent a letter to President Clinton urging that much of the funding be dropped in the defense budget and specific programs be eliminated, and in that list of programs he sent to the President he himself proposed that

DOD and DOE defense environmental programs be reduced by \$930 million in fiscal year 1995.

The proposal of the subcommittee is to reduce them by \$400 million total, and I think that is a much more reasonable level of funding in those areas.

Let me also talk a moment about the TRP. I think the Senator from Alaska did a good job of pointing out that there are many useful defense-related programs going forward with TRP funding.

Let me just cite a couple of them. One of the programs is the multichip module program. The breakthrough in the 1960's was the microchip where many, many transistors could be put on one small piece of silicon to dramatically reduce the size, weight, and cost of electronics. The military was the first user of microelectronics and this was the technology that made the ICBM and all later advanced weapons possible. Of course, now the commercial demand for this technology dwarfs the military market. But that does not diminish its importance to the Defense Department.

The breakthrough of the 1990's is the multichip module technology where many, many chips are put on one common substrate to dramatically increase once again military system performance and lower their costs. TRP is meeting this challenge by cost sharing an effort with the consortium that brings together the emerging participants in this new industry in an effort to lower equipment manufacturing costs by making all needed technology advances simultaneously. Members include GM Hughes Electronics, IBM, Micromodule Systems, Motorola, nChip, Polycon, and Texas Instruments. Sandia National Laboratories will establish a test bed to support the effort.

Madam President, there are a couple of items that I received from the Department of Defense to make the point. This is a printed circuit board which shows the circuitry needed for an advanced weapons system and the multichip module which is being developed through TRP funding to replace it—this much smaller item. That is the kind of a breakthrough we are trying to finance and accomplish and bring about through use of this dual-use technology.

Let me cite one other example, and this is the TRP precision laser machining project.

Let me again show a very small, little item to my colleagues. This sample illustrates the initial results under this TRP project. Graphite composite material similar to that used in stealth aircraft has 1,600 laser-drilled holes which were accomplished in only 10 minutes.

The TRP will develop further this technology to be able to achieve a much faster hole drilling rate, up to 10,000 holes per second, without sacrificing the unprecedented hole quality already achieved and illustrated here.

At that point it will be feasible to process entire airframes in about 1 day, enabling laminar flow control by these holes in critical airflow surfaces. This performance-enhancing flow control is impractical to manufacture with current technology, and the laser hole drilling provides not only the speed but the quality required to make the process practical and cost effective.

The Department of Defense points out that the result will be substantial from their perspective of enhanced military aircraft component performance and improved fuel efficiency by more than 3 percent, saving about \$400 million per year. This technology will also reduce life cycle costs by about \$100,000 per engine by using these precise laser beams to drill holes with the highly increased precision and reproducibility shown in this sample.

Madam President, let me just conclude by pointing out again the statement by Secretary Perry before the Armed Services Committee, which my colleague from Arizona serves on with me, where, when asked about the TRP, he said, "I hope I have the opportunity with the Congress to defend, to vigorously defend the importance of this program."

Madam President, if we adopt the amendment by the Senator from Arizona we are not giving the Secretary of Defense that opportunity. There has been no hearing that can be cited by the Senator from Arizona here. He is proposing or suggesting that the Senate, in our ultimate wisdom, should substitute our judgment for that of the Secretary of Defense, for that of the Under Secretary of Defense, for that of the Chairman of the Joint Chiefs of Staff. In my view this would not be wise. We need to keep funding in the TRP, keep this a program that continues to go forward in these very important areas.

As the Senator from Alaska pointed out, the additional funding that is being transferred to environmental activities is just not needed this year.

Madam President, I hope very much this amendment will not be agreed to and that we can support the position of the Appropriations Committee.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, let me thank the Senator from New Mexico for reading the letters I sent to the President. I appreciate it. I will try to make sure that he is made aware of the correspondence I have between myself and the President and the Secretary of Defense. I point out to my friend from New Mexico, he did not get several of my correspondences, nor the gist nor intent of the recommendations I made.

First of all, I made the recommendations and I stated in the letter, "reduce overemphasis on environmental cleanup and reduce funding to account for management savings, use of more effective technologies and less stringent

standards." That is out of a \$6 billion overall authorization, and is in keeping with the CBO recommendations.

For the edification of my friend and colleague from New Mexico, I wrote a letter on January 23 of this year where I stated:

As you know, I wrote to the President on December 5, 1994, asking that he defer the obligation of funding for certain defense programs, including the environmental accounts of the Departments of Defense and Energy. I would like to clarify my intent in including \$930 million in DOD and DOE environmental accounts in the listing of programs characterized as lower priority funding.

First, let me assure you that I understand the importance of environmental cleanup and fully support the need to provide adequate funding to accomplish this daunting task. Therefore, I believe it is incumbent upon the Department of Defense to bear its fair share of the burden of remediating any problems resulting from the conduct of necessary military activities. However, I also feel strongly that costs such as research and education, as well as other costs not directly related to actual cleanup activities, should be borne equally by all entities, whether governmental or private, rather than one or two federal agencies.

It is in this context that I suggested that a portion of the DOD and DOE budgets for environmental programs be reviewed and reconsidered in the context of more fairly and appropriately allocating the fiscal burden of federal environmental programming across all government agencies.

So I want to assure my friend from New Mexico, to clear up any misconception as my intent in the letter I sent to the President on December 5 and January 23. I would be glad to provide him with a copy of those.

Madam President, I ask unanimous consent this letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,  
January 23, 1995.

Hon. WILLIAM PERRY,  
Secretary of Defense,  
The Pentagon, Washington, DC.

DEAR MR. SECRETARY: As you know, I wrote to the President on December 5, 1994, asking that he defer the obligation of funding for certain defense programs, including the environmental accounts of the Departments of Defense and Energy. I would like to clarify my intent in including \$930 million in DOD and DOE environmental accounts in the listing of programs characterized as lower priority funding.

First, let me assure you that I understand the importance of environmental cleanup and fully support the need to provide adequate funding to accomplish this daunting task. Therefore, I believe it is incumbent upon the Department of Defense to bear its fair share of the burden of remediating any problems resulting from the conduct of necessary military activities. However, I also feel strongly that costs such as research and education, as well as other costs not directly related to actual cleanup activities, should be borne equally by all entities, whether governmental or private, rather than one or two federal agencies.

It is in this context that I suggested that a portion of the DOD and DOE budgets for environmental programs be reviewed and reconsidered in the context of more fairly and

appropriately allocating the fiscal burden of federal environmental programming across all government agencies.

You and I are both aware of the growing scarcity of defense dollars to carry out our national security priorities. Therefore, we must work together now to ensure that we put the immediate needs of our common defense as our first priority.

As Chairman of the Readiness Subcommittee of the Armed Services Committee, which has jurisdiction over the environmental restoration program of the Department of Defense, I intend to look into these issues very closely during the FY 1996 budget review. I would like to request your assistance in identifying specific areas of the Department's environmental restoration accounts which you believe should be distributed outside of the Department. In this review, I would ask that you look closely at research and education funding, as well as the standards and remediation techniques to ensure that cleanup funding is being used efficiently and in the most cost-effective way to protect human health.

As always, I appreciate your assistance in this matter. I will be sending a copy of this letter to the Secretary of Energy.

Sincerely,

JOHN MCCAIN,  
U.S. Senator.

Mr. STEVENS. Madam President, in closing this debate, and I do not know whether it will or not, but let me just make my final remarks.

I want to emphasize to the Senate the difficult task we have had to find money to offset the funds necessary to restore the training, operation, and maintenance accounts for the Department of Defense. We have done that by taking funds from accounts, some of which we may replace in 1996. But we are taking them from accounts where we know they cannot be spent this year. There is no way the department is going to spend all of the remaining \$800 million that is available for studies in this environmental restoration account.

The account does not need more money now. There is no showing at all that it needs more money. As a matter of fact, in the Technology Reinvestment Program, all we have funded is the money for the ongoing projects that have already been approved and additional efforts that have defense relevance. That means we are going to continue those ongoing projects which were determined to have defense relevance for this year.

We are talking still about this year. We still have to review the TRP program for 1996 and we have to review the environmental restoration account for 1996, but I plead with the Senate to look at the problem we had to find money to offset the emergency request. We have taken the emergency off. We have taken the emergency off because we found, dollar for dollar, outlay for outlay. Both outlays and budget authority are reduced sufficiently to offset the moneys that are necessary to be restored in the operating accounts of the military services, plus there is some money for the Coast Guard.

Our task was to reduce spending accounts for the balance of 1995 and take



money where it would do the least harm to the department. I plead with the Senate to realize that, of the \$5.5 billion appropriated for the Department of Defense environmental funding account, we have dealt with about \$700 million in study money. There is still plenty of money there in the whole environmental account. It does not need the restoration moneys that are suggested by the Senator from Arizona.

The PRESIDING OFFICER. Is there any further debate?

Mr. LEVIN. Madam President, I will vote against the McCain amendment to cut funding from the technology reinvestment project. I find this an unpleasant task because I am strongly in favor of full funding for environmental cleanup and restoration at closed DOD bases. I am also a proponent of the technology reinvestment project.

The McCain amendment would cut twice the amount of funding from TRP than it would restore to DERA. That tells me that the purpose of this amendment is to kill the technology reinvestment project, which I believe is wrong. As the previous amendment offered by Senator BINGAMAN showed, it is the sense of the Senate that the TRP is important to our national security, and ought to be the norm for the way the Pentagon does business.

I believe that the TRP is a good example of a new way of doing business between the Federal Government and the private sector, one that is cooperative, cost-shared, competitive, and mutually beneficial.

Mr. ROBB. Madam President, I rise today in support of the amendment offered by Senator BINGAMAN and of U.S. dual-use technology efforts in general.

The U.S. military will be challenged repeatedly as a deterrent and fighting force in the decades to come. We face the potential of a resurgent Russia, a new economic power that decides to pursue military dominance in its region, or a rogue regime with a nuclear weapon at its disposal.

Although the United States will retain its preeminent position as the only military superpower for decades to come, our relative military advantage inevitably will wane. Identifying the next great military powers is obviously very difficult, but we can rest assured that not all will share U.S. values and interests. The question today is whether we will be able to respond rapidly and adequately to emerging threats.

Of particular concern are those nations that will attempt to couple rapid economic growth with tight political control. Fortunately for democracies, this marriage of tyranny and a free economy usually leads to divorce. But even a short-lived marriage of this sort is a reasonable prospect for several of today's nondemocratic nations. Widely available and rapidly advancing military technologies will allow these nations to arm relatively quickly and, conceivably, to leapfrog some U.S.

military capabilities through innovative technologies.

It is this possibility for a rapid, technologically based emergence of a major threat that dictates we support our technology base as effectively as possible, and focus our energies on highly advanced, long-term technologies.

We cannot, of course, continue to pay for the enormous research and development base of the cold war. We must now turn to the commercial sector, which leads the Department of Defense in many key technologies, to help sustain U.S. technological leadership. Dual-use technology development efforts, like the Technology Reinvestment Program, represent one of the best conceivable approaches to meeting this long-term national security need. TRP is an especially effective program:

TRP is supporting a vast range of defense technology developments in areas such as low-cost night vision, high-density data storage, battlefield casualty treatment, and composite aircraft structures.

TRP awards are matched by the program participants, effectively leveraging taxpayer dollars.

TRP awards are competed and represent a much more efficient approach than saddling DOD research programs with earmarks that often duplicate or misdirect existing efforts.

Finally, TRP allows DOD to drive down costs by leveraging commercial large-scale production.

TRP is truly a cents-on-the-dollar program that will secure U.S. long-term security interests well into the next century. While I applaud and strongly support readiness today, let's not compromise our future—a future that will require much foresight and technological excellence to deter and, if necessary, defeat advanced military threats.

Madam President, I yield the floor.

Mr. LIEBERMAN. Madam President, I rise in opposition to the proposed amendment. First, let me say that I am concerned that among our early acts in this 104th Congress we are about to cut \$1.9 billion dollars out of our defense budget. Among the cuts proposed, are cuts to our critical technology development programs. Since technological superiority will win the battles of tomorrow, we are stealing funds that will determine the readiness of future generations, to pay for defense emergencies today. I believe these actions are a clear and present danger to our defense capability. In our zeal to increase defense readiness and fund operations while we control spending, control Government proliferation, control the deficit we may be laying the groundwork for inevitable future inferiority in critical defense technologies. This amendment only increases the damage that is being done to this critical technology development effort.

Military readiness is at the forefront of the defense agenda for both the administration and many of my col-

leagues here in Congress. I share their concern that our military must be fully prepared to insure national security. This is not an option, this is our responsibility. At the same time, some of my colleagues are proposing and voting for cuts in defense technology development programs that are critical to the defense readiness of tomorrow.

#### ARPA AND DUAL USE

Our current technological superiority has not evolved overnight. DOD's secretive Advanced Research Projects Agency (ARPA), the preeminent technology development entity in the world, has been successfully researching and evolving new technology for military applications, in close alliance with the services, for the 37 years since President Eisenhower set it up. In retrospect, it was a truly visionary Presidential accomplishment.

What has ARPA done? Most of its efforts are classified, and it has purposely never recorded its history. Let's just look at a list of technologies that we can talk about that ARPA helped evolve: Supercomputing; desktop computers; the internet (formerly ARPAnet); stealth; the entire field of materials science and composites; GPS—the global positioning system run by atomic clocks; laser technology including laser machining; high resolution digital imaging; advanced acoustics; smart weapons; and even the ubiquitous computer mouse.

This is only a partial list, but this list alone has revolutionized not only the U.S. warfare machine, but U.S. civilian society.

#### THE TECHNOLOGY PROGRAMS AT ISSUE: TRP

The Technology Reinvestment Project [TRP] has been the first victim of the technology attack. It is designed to be a dual use effort in a program concept first developed by President Bush's Director of ARPA. TRP projects are cost-shared at least 50/50 with industry, competitively selected, industry-led and aimed at civilian and military needs.

What are ARPA's TRP teams working on?

Item: Head mounted displays. Infantrymen can't walk around with desktop computers. With light-weight, head-mounted displays they can retain full mobility but have a full computer display of the battlefield and real-time intelligence and targeting data before their eyes.

Item: Advanced information flow. Military command and control must process an exploding amount of intelligence data immediately to the battlefield for response. But limited communications capacity now clogs our ability to transmit, process, and act on that data. A TRP team is developing digital communications command and control equipment to burst massive new amounts of data through the interpretation and response pipeline at 10 gigabits per second, a 400 percent improvement over today's best equipment. This will be the building block

for a new integrated command and control network.

Item: Single chip motion detectors. By reducing motion detection to a single chip accelerometer which can withstand accelerations up to 30,000 times the force of gravity, weapons guidance and navigation systems can be made significantly lighter and more sensitive. This will be critical to the next generation of smart weapons.

Item: Uncooled infrared sensors. Desert Storm was launched as a night attack using infrared sensors as the basis for high speed attack operations. Our military needs to own the night and a new generation of cheaper, much more portable uncooled infrared sensors are a crucial enabling technology being developed by a TRP team.

Item: Autonomous all-weather aircraft landing. The efficiency of military aircraft is still limited by night and weather conditions. Operations at secondary fields are curtailed in these conditions if a full ground control system is absent, or if these facilities are disrupted or damaged at a primary site. Basing aircraft at a small number of primary bases, is not a good alternative, because our command of the air becomes more vulnerable. A TRP team is working on placing all-weather air traffic and landing control systems into every cockpit, making aircraft independent of ground control availability and weather conditions.

Item: Turboalternator. Army gas-guzzling battle vehicles require a vast and vulnerable logistics chain and limit battlefield operations. The next war may not be fought next to Saudi oil refineries. A TRP team is developing a turboalternator so main engines can be switched off, but all equipment and sensors can continue to operate, during silent watch modes. This multiplies fuel efficiency and also makes detection through infrared emissions and engine noise much more difficult.

Item: Composite bridging. Military operations continue to be controlled by terrain: every stream or ravine that must be crossed creates a potential strong point for enemy defenders and disrupts the mobility that gives U.S. forces much of their edge. Every time our engineer forces have to bring up cumbersome, heavy bridging equipment for a crossing, enemy defenders can rally and our mobility is disrupted. A TRP team is developing superlight, superstrong composites for superportable bridges to multiply the mobility of our battlefield forces.

Item: Precision laser manufacturing. Precision laser machining technology, by making aircraft parts microscopically precise, can make aircraft engines much more efficient. A TRP team, working with higher power density, more focused laser beams and variable pulse formats, aim to double the life of military aircraft engines and sharply improve fuel efficiency and therefore range. Other beneficiaries include shipbuilders, airframe makers,

engine makers, and a wide range of other manufacturing technologies.

These examples are the kinds of new technologies we need for future battlefield dominance. ARPA's TRP selection criteria emphasizes nine areas of established military need, from battlefield sensors, to mobility, to prompt casualty treatment, to command and control capability to advanced materials. TRP technology projects also must have civilian application to help cut military costs and link into emerging civilian technologies. TRP is a brand-new effort and many of its investments are high risk. There are no doubt fixes that will need to be applied to the program, and some of its military priorities may require clarification, as with any new program. But to decimate it without even holding a hearing about the cornucopia of technology advances it is spawning is rash, and dangerous to our military technology future.

Given some of the other program cuts now on the table, the assault on TRP appears to be the beginning of a larger assault on technology R&D, in general. Given the dangers of the future battlefield, this assault can only provide comfort to future enemies.

#### CONCLUSION

At a time when we need to renew our commitment to defense technology, with an eye toward the necessary control of defense spending, we are cutting back on the very programs poised to solve the problem. We must take advantage of civilian-led technologies. We must control defense spending. We must remain sufficiently superior to our competitors to deter any threats to our national security. We have no choice. If we don't capture the power of technological innovations, we can be sure that our opponents will.

This amendment restores \$100 million of TRP money to insure that we will be the technological world leaders of tomorrow that we are today. I urge my colleagues to vote against the amendment.

Mr. KERRY. Madam President, I wish to go on record in opposition to the McCain amendment and express my strong support for the Department of Defense Technology Reinvestment Program [TRP] which provides essential public-private funding for dual-use research and development.

The collapse of the Soviet Union and the end of the cold war have not brought an end to the need for a strong United States military. We find ourselves facing challenges that are different but no less complex: the spread of nuclear weapons and major regional, ethnic and religious conflicts, to name a few. These new threats increase the need for fast, flexible, mobile forces equipped with the most advanced weapon systems. The Technology Reinvestment Program will allow our troops to defend themselves with the most current, technologically advanced equipment and enhance our ability to respond effectively to any threat our troops may face.

The Defense Department's TRP is an innovative program that maximizes the use of taxpayer funds to exploit promising technologies by working cooperatively with the private sector to ensure both our military and commercial sectors seize and exploit these cutting edge technologies. This cooperative endeavor enhances our national security and economic well-being and moves us toward a single, cutting-edge national technology and industrial base. The TRP program enables the Pentagon to exploit the rapid rate of innovation and market-driven efficiencies evident in the commercial industry to meet defense needs. By drawing on commercial technology and capabilities wherever possible—along with the superior systems design and integration skills of U.S. businesses—the military can do its job more effectively and at a far lower cost to the taxpayer.

While I agree with the objective of the McCain amendment to restore funding to the Defense Environmental Restoration Act accounts to provide for environmental cleanups on defense bases, I cannot support the transfer to DERA from the TRP program. The \$150 million reduction in the DERA program, while regrettable, is a small portion of the overall DERA program. In addition, DERA is not the only program in the Defense budget that provides environment cleanup funding. On the other hand, the proposed cuts in the McCain amendment coupled with the TRP reductions already contained in the committee-reported Senate rescission bill, would virtually eliminate the TRP program.

As we all know, we won the cold war, in no small way because of our technological expertise. We won the cold war because there was a national commitment to win it. We dedicated the resources to the research and development and to the manufacturing that were required to win. We must continue in that tradition and I urge my colleagues to reject the McCain amendment.

Mr. KENNEDY. Madam President, I oppose this amendment. It seeks to achieve a laudable goal, mitigating the cuts imposed by the Supplemental Appropriations Act on the environmental cleanup of Department of Defense facilities. It would do so, however, by eliminating the Department's premier dual-use technology program, the technology reinvestment project. I support this vital program to maintain our military's technological edge into the next century. Therefore, I oppose the McCain amendment.

Through its environmental restoration effort, the Defense Department is fulfilling its obligation to the communities of America where military facilities have contaminated the land, water, or air. The President, the Secretary of Defense, and the leaders of the service branches have a solemn commitment to protecting our citizens

from environmental threats caused by Department activities.

Some have criticized the Department's environmental restoration program as being a nondefense activity, since the funding for the cleanup does not go directly into the modernization or maintenance of our forces, and is therefore beyond the scope of the Department's responsibility. Nothing could be further from the truth. Keeping its lands free of contamination is a clear obligation of any private or public entity, including the Department of Defense.

An example of the urgency of addressing this problem can be found in my home State of Massachusetts. Over the decades of the cold war, activities at Otis Air Force Base and Camp Edwards on Cape Cod have resulted in drastic contamination. Roughly 65 million gallons of ground water have been contaminated, threatening public water supplies and recreational ponds. Last year, the Department of Defense settled on a plan for cleaning up the contamination. This cleanup will take years to implement. Reductions in the environmental fund will delay these vital cleanup programs.

Under the leadership of Secretary of Defense Perry and Sherri Goodman, the Deputy Under Secretary for Environmental Security, the Clinton administration has laid out a plan for addressing the huge cleanup problem facing the Department. The \$1.78 billion we voted in last year's budget is a downpayment on a cleanup program that will be implemented well into the next century.

Although this amendment would add funds for the clean-up, a goal I support, it would do so by taking funds from the technology reinvestment project. The TRP combines the best of national technology, national security planning, and acquisition reform. It seeks to ensure that the Nation's high-technology industries, as they readjust to the shrinking defense budget, will still carry out research and development to meet national defense needs.

Deputy Secretary of Defense John Deutch has said that the Defense Department can no longer afford the luxury of having its own private industry. The Department must devise ways to use the commercial sector to meet its future industrial needs. The TRP spearheads the effort to achieve that goal.

It uses less than 2 percent of the Defense Department's research and development budget to get high-technology American businesses to begin meeting our defense needs in an economical fashion. The TRP leverages Government money by providing up to half the cost of financing dual-use research and development projects.

These projects, carried out by consortia of private corporations, universities, and scientific laboratories, meet real defense needs. The categories of military need in which project funding is awarded include military mobility

and deployment; battlefield sensors; command, control, communications, computers, and intelligence—so-called C<sup>4</sup>I; and electronics design and manufacturing. As Secretary Perry has testified, there can be no doubt that the program is funding projects that fulfill direct defense requirements.

In some areas, such as command and control software, commercial technology is more advanced than the corresponding military technologies now in use. In these instances, the TRP seeks to apply existing commercial technologies to military applications. In other cases, such as battlefield sensors, military technologies are more advanced, but the Department seeks to take advantage of the lower cost production processes that commercial manufacturing the marketing may provide.

The House bill rescinds \$500 million in fiscal year 1994 and fiscal year 1995 funds for the TRP. This amount would effectively eliminate the program. The committee's bill rescinds \$200 million in fiscal year 1994 and fiscal year 1995 funding for the TRP, far superior to the House bill, but still a major cut to the program. By further cutting the TRP by \$302 million, the McCain amendment would repeat the House action of eliminating the program.

I was pleased to be a cosponsor of the amendment offered earlier by Senator BINGAMAN, expressing the sense of the Senate in support of the TRP. That amendment was passed by a voice vote. To pass the McCain amendment now would wipe out our approval of that earlier amendment.

I support greater funding for the Defense Department's environmental restoration program. I urge the conferees on this legislation to achieve the highest level of funding possible for it. But we should not undermine the future of the Nation's defense industry to achieve this goal. I urge my colleagues to defeat this amendment.

Mr. STEVENS. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. STEVENS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment of the Senator from Arizona to the committee amendment on page 1, line 3. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Arkansas [Mr. PRYOR] is absent because of death in the family.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 22, nays 77, as follows:

[Rollcall Vote No. 101 Leg.]

#### YEAS—22

Abraham	Gorton	Kyl
Bradley	Gramm	McCain
Brown	Grassley	Nickles
Campbell	Helms	Roth
Chafee	Hutchison	Snowe
Craig	Inhofe	Warner
Faircloth	Kassebaum	
Feingold	Kempthorne	

#### NAYS—77

Akaka	Feinstein	McConnell
Ashcroft	Ford	Mikulski
Baucus	Frist	Moseley-Braun
Bennett	Glenn	Moynihan
Biden	Graham	Murkowski
Bingaman	Grams	Murray
Bond	Gregg	Nunn
Boxer	Harkin	Packwood
Breaux	Hatch	Pell
Bryan	Hatfield	Pressler
Bumpers	Hefflin	Reid
Burns	Hollings	Robb
Byrd	Inouye	Rockefeller
Coats	Jeffords	Santorum
Cochran	Johnston	Sarbanes
Cohen	Kennedy	Shelby
Conrad	Kerrey	Simon
Coverdell	Kerry	Simpson
D'Amato	Kohl	Smith
Daschle	Lautenberg	Specter
DeWine	Leahy	Stevens
Dodd	Levin	Thomas
Dole	Lieberman	Thompson
Domenici	Lott	Thurmond
Dorgan	Lugar	Wellstone
Exon	Mack	

#### NOT VOTING—1

Pryor

So, the amendment (No. 322) was rejected.

Mr. STEVENS. Madam President, I move to reconsider the vote.

Mr. HATFIELD. Madam President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HATFIELD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### UNANIMOUS CONSENT AGREEMENT

Mr. HATFIELD. Madam President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc except for the committee amendments beginning on page 1, lines 3 through page 25, line 4; and page 31, lines 5 through 21. That the bill as amended be considered as original text for the purpose of further amendments and that no points of order be waived thereon by reason of this agreement.

Mr. BYRD. Madam President, this request has been cleared on this side.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments were agreed to en bloc, except for the following:

On page 1, line 3 through page 25, line 4; and page 31, lines 5 through 21.

Mr. HATFIELD. Now, Madam President, I ask unanimous consent that the pending committee amendments be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 323

Mr. HATFIELD. Madam President, I send an amendment to the desk on behalf of Senators MCCONNELL and LEAHY and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oregon [Mr. HATFIELD] for Mr. MCCONNELL (for himself and Mr. LEAHY) proposes an amendment numbered 323.

Mr. HATFIELD. Madam President, I ask unanimous consent that further reading be dispensed.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 323) is as follows:

On page 27, between lines 6 and 7, insert the following:

CONTRIBUTION TO THE INTERNATIONAL  
DEVELOPMENT ASSOCIATION  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-306, \$70 million are rescinded.

In lieu of the Committee amendment on page 27, lines 21 through 25, insert the following:

DEVELOPMENT ASSISTANCE FUND  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-87 and Public Law 103-306, \$13,000,000 are rescinded.

ASSISTANCE FOR EASTERN EUROPE AND THE  
BALTIC STATES  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-87 and Public Law 103-306, \$9,000,000 are rescinded.

ASSISTANCE FOR THE NEW INDEPENDENT  
STATES OF THE FORMER SOVIET UNION  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-87 and Public Law 103-306, \$18,000,000 are rescinded, of which not less than \$12,000,000 shall be derived from funds allocated for Russia.

Mr. LEAHY. Madam President, I want to speak briefly about the foreign operations part of this supplemental appropriations and rescissions bill.

First, let me say that I believe strongly that supplemental funds for the Department of Defense should be offset with defense rescissions. Domestic and foreign affairs funds should not be used to cover defense costs. I do understand, however, that these rescissions were made in anticipation of a difficult conference with the House.

The \$172 million in foreign operations rescissions that were presented to the Appropriations Committee would have come entirely from sub-Saharan Africa. I was very concerned about the impact this would have on the world's neediest people, and discussed my concerns with Senator MCCONNELL. I want

to thank him for working with me to modify the rescissions in a way that protects our bilateral aid programs in Africa.

I do support the \$62 million rescission from the African Development Fund. Those funds were appropriated last year with the explicit caveat that the fund make significant management reforms. It has not done so. Perhaps this rescission will get their attention.

That leaves \$110 million. All of it would have been taken from the Agency for International Development's programs in Africa. Those funds are used to support basic health and nutrition, AIDS prevention, child survival, basic education, agriculture research, and programs to promote free markets and free elections. These are programs that Republicans and Democrats strongly support, as do the American people, because they often make the difference between life and death for people facing starvation, political violence, or deadly diseases we can cure.

The rescission, as initially proposed, would have meant that our aid to Africa, which already amounts to only about \$1 per person, would bear the total burden of these cuts. That I could not accept.

Senator MCCONNELL and I have worked together to modify the foreign operations rescissions to protect AID's programs in Africa. I appreciate his willingness to find a compromise.

Rather than take the money from the Development Fund for Africa, the amendment we have coauthored, which is also cosponsored by Senator LAUTENBERG, would rescind \$70 million from the International Development Association; \$13 million from the Development Assistance Fund; \$18 million from the former Soviet Republics, of which at least \$12 million must come from Russia; and \$9 million from Eastern Europe.

Let me say that I wish we did not have to rescind any of this money. These are all programs I support, and I hope we can reduce some of these cuts in conference. I especially hope that we can find alternatives to cutting so much from IDA, since these are commitments made by the U.S. Government and this cut will only add to our arrears.

But faced with this difficult choice, I wanted to be sure that the cuts did not fall on the backs of the poorest people. That is the reason for this amendment.

Mr. MCCONNELL. Madam President, I am joined today by Senators LEAHY, LAUTENBERG, and JEFFORDS, in amending the foreign operations rescissions package. When the committee decided to move forward with rescissions I requested a listing of the unobligated balances in our international affairs accounts. I learned that the three largest accounts which have been slow to spend their resources are those committed to the Middle East, the New Independent States, and the Development Fund for Africa.

It is my view that contributing to the economic and political stability in the NIS is a vital interest of the United States in the post-cold-war world. Although many of the specific programs for the NIS have been plagued by difficulties, I am reluctant to send the signal that Congress is abandoning its commitment to the region. The House rescission which reflected a 10 percent cut to the region's unobligated balances might send just such a message.

The troop housing project is obviously troubled. We have held a number of hearings to review whether it is, in any way, meeting the defined objectives. We had expected the program to offer incentive to remove troops from the Baltics, build housing where there was an acute shortage, generate jobs in the construction sector, and expand private home ownership—I think there is consensus that it has failed on virtually all accounts. Nevertheless, I would prefer to see the funds for the project reprogrammed rather than cut out altogether.

As an alternative to the House provisions, Senator LEAHY and I are offering a modest reduction in the NIS account with a requirement that two-thirds of the resources are drawn from the Russia projects.

This was a direct and determined response to the situation in Chechnya. A few weeks ago when the administration decided to offer \$20 million in relief to Chechnya, we learned that they planned to draw some of the funding from Armenia, Georgia, and other regional emergency accounts. I see no purpose in punishing those countries to compensate for Russian outrages in Chechnya. The requirement that two-thirds of the rescissions from the NIS account be drawn from Russian programs is intended to reinforce that message.

The second large account with unobligated balances had a direct affect on the Middle East peace process. Again, I think our interests dictated that we not take any action that could disrupt our commitment to stability and the peace process. Consequently, I was unwilling to draw down this account to support rescissions.

I relied on the third account, the Africa Development Fund for two reasons—the slow spending rate and the fact that the fund is complemented by an array of other accounts that contribute to Africa development. In addition to the DFA, we contribute to the Africa Development Foundation, the Africa Development Fund, the Africa Development Bank, and the International Development Association.

After discussions with my colleagues, I have agreed to shift the burden of rescissions from the bilateral Africa program where we have more confidence and opportunity to assure United States interests are addressed to the International Development Association which I view as less responsive to United States goals.

The rescissions Senator LEAHY and I are offering, continue our support for vital American interests while addressing our common concerns about reducing our deficit. With this Congress we have new responsibilities to reduce the deficit. I plan to make sure that our foreign aid program contributes to the process of downsizing the Government and our debt.

This rescissions proposal is the first step in a series of difficult choices which lie ahead. Foreign aid can and should serve U.S. national economic and political interests. When and where it fails to meet that test, I guarantee my colleagues that the funds will be rescinded, reprogrammed, or reduced.

Mr. LAUTENBERG. Madam President, I am pleased to cosponsor this amendment because it would ensure that the foreign aid spending reductions in this bill do not come entirely out of programs for Africa.

Under the bill reported by Senate Appropriations Committee, \$172 million in assistance for Africa was cut. No other region of the world was affected. Senator LEAHY and I expressed concern about the reductions in assistance to Africa during the Senate Appropriations Committee consideration of this bill because we thought it was unwise to target all the cuts at one region. During the full committee markup, the chairman of the Foreign Operations Appropriations Subcommittee agreed to address our concern during full Senate consideration.

The amendment before the Senate today would do just that. It would spread the burden of the rescissions in the foreign aid program across more regions of the world. It would still rescind \$62 million for the African Development Fund. But instead of rescinding \$110 million for the Development Fund for Africa—which funds child survival, basic education, health, and environmental programs—the amendment would rescind \$110 million from a multitude of programs. It would reduce funding for the soft loan window of the World Bank by \$70 million. It would reduce funding for the former Soviet Union—mostly from Russia—by \$18 million. It would reduce \$13 million in development assistance. And it would reduce \$9 million in aid to the countries of Eastern Europe.

While all cuts are painful, the reductions proposed in this amendment are a sound alternative to rescinding \$172 million from one of the poorest, most vulnerable regions of the world. Through our foreign aid program, the United States currently spends approximately \$1 per person in Africa, far less than we spend on other regions of the world. That is a small investment in the future of democracy and regional stability. It is small amount of assistance to support fast growing export markets. It is small amount to spend to reduce disease, end poverty and human misery, and help create opportunities for the people of Africa.

Madam President, it would be unwise to reduce aid only to Africa, and I am glad we have reached an agreement

with the chairman of the Foreign Operations Appropriations Subcommittee to ensure that the 172 million rescissions in foreign aid spending do not target Africa exclusively. I urge my colleagues to support this amendment.

Mr. HATFIELD. Madam President, this amendment embodies an agreement between the chairman and the ranking minority member of the Foreign Operations Subcommittee regarding the rescissions recommended in chapter 3 of title II. It has been cleared on both sides. I ask for its adoption.

The PRESIDING OFFICER. Is there further debate on this amendment? If not, the question is on agreeing to the amendment.

So the amendment (No. 323) was agreed to.

Mr. HATFIELD. Madam President, I move to reconsider the vote.

Mr. BYRD. Madam President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 324

Mr. HATFIELD. Madam President, I send an amendment to the desk on behalf of Senators GRAMM and HOLLINGS, and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending committee amendments will be laid aside. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oregon [Mr. HATFIELD], for Mr. GRAMM, (for himself and Mr. HOLLINGS) proposes an amendment numbered 324.

Mr. HATFIELD. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 25 of the Committee bill, strike line 14 through line 12 on page 26, and insert in lieu thereof the following:

#### DEPARTMENT OF JUSTICE

##### IMMIGRATION AND NATURALIZATION SERVICE

##### IMMIGRATION EMERGENCY FUND

(RESCISSION)

Of the amounts made available under this heading in Public Law 103-317, \$10,000,000 are rescinded.

#### DEPARTMENT OF COMMERCE

##### NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

##### INDUSTRIAL TECHNOLOGY SERVICES

(RESCISSION)

Of the amounts made available under this heading in Public Law 103-317 for the Advanced Technology Program, \$32,000,000 are rescinded.

##### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

##### OPERATIONS, RESEARCH AND FACILITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-317, \$2,500,000 are rescinded.

#### NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

##### INFORMATION INFRASTRUCTURE GRANTS

(RESCISSION)

Of the amounts made available under this heading in Public Law 103-317, \$34,000,000 are rescinded.

#### ECONOMIC DEVELOPMENT ADMINISTRATION

##### ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

(RESCISSION)

Of the amounts made available under this heading in Public Law 103-317, \$40,000,000 are rescinded.

#### RELATED AGENCIES

##### SMALL BUSINESS ADMINISTRATION

##### SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-317 for tree-planting grants pursuant to section 24 of the Small Business Act, as amended, \$15,000,000 are rescinded.

#### LEGAL SERVICES CORPORATION

##### PAYMENT TO THE LEGAL SERVICES CORPORATION

(RESCISSION)

Of the funds made available under this heading in Public Law 103-317 for payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, as amended, \$15,000,000 are rescinded.

#### DEPARTMENT OF STATE AND RELATED AGENCIES

##### DEPARTMENT OF STATE

##### ADMINISTRATION OF FOREIGN AFFAIRS

##### ACQUISITION AND MAINTENANCE OF BUILDINGS ABROAD

(RESCISSION)

Of unobligated balances available under this heading, \$28,500,000 are rescinded.

Mr. HOLLINGS. Madam President, at last week's markup of the defense supplemental appropriations bill, H.R. 889, Subcommittee Chairman Senator GRAMM and I found ourselves both opposed to specific domestic rescissions that were included in the House-passed bill. Since that committee meeting, we have been working on a substitute amendment to the Commerce, Justice, and State chapter that we can both support, with the ground rules that we must propose a rescission in place of any rescission currently in the bill that is deleted.

Our amendment restores all but \$10 million of the Immigration Emergency Fund appropriation and most of the appropriation in the Commerce Department's Advanced Technology Program. The House had proposed cutting \$70 million from the Justice Fund and \$107 million from the Commerce Department's ATP Program. All of the alternative offsets that this amendment proposes are from accounts within our subcommittee's jurisdiction, and we have retained the \$177 million in deficit reduction proposed in both the House bill and the committee recommended bill.

This amendment, which I will describe, represents a bipartisan response to the reductions in Justice and technology programs proposed by the House.

## IMMIGRATION EMERGENCY FUND

The amendment restores all but \$10 million of the Department of Justice, Immigration and Naturalization Service's Immigration Emergency Fund to the level provided in last year's CJS appropriation bill.

This fund was established for possible immigration emergencies, and we provided a \$75 million appropriation last summer to deal with the Cuban and Haitian immigration crisis. Use of the fund, which has current balances of \$111 million, requires a Presidential declaration of an emergency and congressional notification. Given the current state of affairs along our Southern border, it is prudent that the account balances be maintained at a level of at least \$100 million.

## ADVANCED TECHNOLOGY PROGRAM

The amendment restores \$75 million to the National Institute of Standards and Technology's Advanced Technology Program [ATP]. The committee amendment would retain a rescission of \$32 million from this account, instead of the \$107 million proposed in the committee reported bill.

The ATP is an important investment in American economic competitiveness. It supports American industry's own efforts to develop new cutting-edge, next-generation technologies—technologies that will create the new industries and jobs of the 21st century. The ATP does not fund the development of commercial products. Instead, it provides matching funds to both individual companies and joint ventures for pre-product research on these high-risk, potentially high-payoff technologies. These technologies include promising new ideas in manufacturing, advanced electronics, and new materials.

Why do we need the ATP? The answer is simple: to keep America competitive and create jobs. Long-term technology has become the key to future U.S. prosperity at precisely the time that global competition, downsizing, and shareholder pressures now force American companies to focus scarce research dollars on short-term projects. The Commerce Department estimates that these market pressures now push companies to spend up to 90 percent of their research funding on projects that will pay off in 1 to 5 years. As a result, U.S. companies, small and large, now have serious trouble funding long-term, next-generation technologies that will build new industries but will not pay for 10 to 15 years. Moreover, historically the U.S. Government has supported long-term research in only a few key sectors—an approach very different from our foreign competitors.

The ATP's sole aim is to develop new basic technologies that would not be pursued or pursued soon because of technical risks and other obstacles that discourage private-sector investment. The ATP does not support product development, and is modeled on similar Federal research programs which have long helped a few sectors

such as agriculture, the aircraft industry, and the energy technology. The program particularly helps small technology companies. To date, the ATP has made 177 awards, involving 480 companies and research partners in 38 States.

The ATP is new, but already has begun to make a real difference. Diamond Semiconductor Group's story is not atypical. It had a new idea for reliably producing larger, more-cost effective semiconductor wafer—about the size of an LP record as opposed to today's small wafers. But the company did not have the resources to fully test out its idea. "Winning the ATP award was absolutely critical to us," says President Manny Sieradzki. The ATP award helped the company provide the proof needed for varian associates, as major semiconductor equipment manufacturer, to provide development funding.

I want to mention three other points about the ATP. First, the ATP is part of a long American tradition of supporting industry efforts to develop new technologies. To date, most of those efforts have been in defense or a few key civilian areas. But those older U.S. investments have been substantial and effective. USDA helped create modern agriculture, the Government has supported aeronautical research since 1915, and the NIH helped create biotechnology. The ATP simply extends this proven model of long-term investments in technology to the rest of U.S. industry. And, while the ATP assists a wide range of American industries, it costs less than comparable programs which serve specific sectors. In fiscal year 1995, the ATP and NIST's manufacturing extension program cost a total of \$522 million—compared with \$1.675 billion at USDA for research and extension, \$882 million at NASA for aeronautics, and \$3.757 billion at the Department of Energy for civilian energy technology.

Second, this is not interfering with the marketplace or having the Government pick winners and losers. The ATP is without doubt the most market-driven technology program supported by the Government. Industry, not government, proposes both specific projects and key areas of technology to focus on. Industry, not Government, runs the projects and contributes the majority of the funds. As mentioned, the ATP supports only long-term pre-product research, never product development. And awards are made by peer-reviewed panels of technical experts and retired business executives—not by the White House, not by the Secretary of Commerce, and not by Congress.

Third, the ATP has enjoyed strong bipartisan support. The Bush administration wrote the regulations for the ATP, and in his fiscal year 1993 budget President Bush requested substantial increases for the program. In addition, on June 25, 1992, Senate Republicans—through the Senate Republican Task Force on Adjusting the Defense Base

Chaired by Senator Warren Rudman—endorsed both the ATP and the NIST Manufacturing Extension Program. This program has had strong bipartisan support in the past, and deserves strong bipartisan support now.

## NOAA PROCUREMENT SAVINGS

The amendment proposes a rescission of \$2.5 million of funds appropriated in fiscal year 1995 to the National Oceanic and Atmospheric Administration [NOAA] for modifications and procurement of aircraft radar. NOAA has procured and is installing the radar, but has informed the subcommittee that \$2.5 million is excess to requirements. The agency recently proposed to reprogram these funds for administrative overhead. The subcommittee recommends applying these resources instead for deficit reduction and restoring the ATP program.

## INFORMATION INFRASTRUCTURE GRANTS

The subcommittee recommends a rescission of \$34 million for Department of Commerce, National Telecommunications and Information Administration, Information Infrastructure Grants. This program was created in fiscal year 1994, and the first grant awards recently were made. Funding for this program increased from \$26 million in fiscal year 1994 to \$64 million in fiscal year 1995. It has yet to be authorized, and we have continued to oppose rescissions from the Public Broadcasting Facilities Program in NTIA that the administration keeps proposing. Accounting for departmental transfers and reprogrammings, this rescission restores the program to its fiscal year 1994 level.

## ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

The amendment would rescind \$40 million for the Economic Development Administration [EDA]. This is \$20 million more than the committee reported bill. I reluctantly agreed to this rescission. Following our fiscal year 1995 appropriation bill, the EDA proposed a reprogramming of \$40 million from Defense economic adjustment/conversion and regular title IX programs to initiate a new Competitive Communities Program. As I understand it, this new program would provide grants to intermediaries to provide loans to industries locating or expanding in impacted communities. The subcommittee was unable to reach agreement in order to approve the reprogramming request—and under our guidelines both the majority and minority must agree for a reprogramming to go forward. In light of that, we have agreed to use these resources in lieu of House rescissions.

## SMALL BUSINESS ADMINISTRATION TREE-PLANTING

The amendment proposes to rescind \$15 million from the Small Business Administration's [SBA] salaries and expenses account. This rescission is proposed in the President's budget.

This action would terminate the SBA tree planting program. This is a nice

program that provides grants to States and local governments to plant seedlings and small trees. But, it has little to do with the mission or purpose of the SBA, and we have never supported funding in a Senate appropriations bill. In fact, it has never been authorized by the Small Business Committees. It has been an annual House Appropriations Committee add-on-the budget.

#### LEGAL SERVICES CORPORATION

The amendment proposes to rescind \$15 million of the \$415 million appropriated in last year's CJS appropriations bill for the Legal Services Corporation [LSC]. This amendment would reduce the payment to the LSC to the level recommended by the Senate last year. We fought hard in conference last year to contain the growth of the Legal Services Corporation, which had grown each year due to pressure from the House. With the political sea change in the House, I'm sure that they should be willing to return to the lower Senate-passed funding level.

#### STATE DEPARTMENT UNOBLIGATED BALANCES

The amendment proposes to rescind \$28.5 million from unobligated balances in the Department of State's foreign buildings account. Again, it is with great reluctance that I recommend this rescission. This is an area in which the Senate-passed CJS appropriations bill exceeded the House last year, and we got them to come up to our level. Each year the Department of State's program changes due to delays, scope and priority changes, and contract savings. Normally, we would support retaining these balances to further the overseas construction program. But, in the current environment, these balances are being proposed for rescission to offset restoring House rescissions.

#### CONCLUSION

This is unpleasant business. I think everyone should realize that the House is driving this game. These rescissions are not going to offset Department of Defense readiness spending; instead, they will be used, at least for the time being, for deficit reduction. The ground rules, as laid out by chairman HATFIELD and the leadership, are that we must meet or exceed the amount of rescissions that the House has proposed. And, I should note that our House counterparts recently approved a second, much larger rescission bill.

Both chairman GRAMM and I agree that this amendment provides for a vastly improved package than what the House sent to the Senate. I urge adoption of the amendment.

Mr. HATFIELD. Madam President, this amendment embodies an agreement between the chairman and the ranking minority member of the Commerce, Justice Subcommittee regarding the rescissions recommended in chapter 1, title II.

It has been cleared by both sides. I recommend its adoption.

The PRESIDING OFFICER. Is there further debate on the amendment? If

not, the question is on agreeing to the amendment.

The amendment (No. 324) was agreed to.

Mr. HATFIELD. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HATFIELD. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HELMS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDMENT NO. 325

(Purpose: To provide that the Endangered Species Act of 1973 shall not apply with respect to Fort Bragg, NC)

Mr. HELMS. Madam President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. HELMS], for himself and Mr. FAIRCLOTH, proposes an amendment numbered 325.

The amendment is as follows:

At the end of title I, insert the following:

#### SEC. 1. FORT BRAGG, NORTH CAROLINA.

Notwithstanding any other law, for fiscal year 1995 and each fiscal year thereafter, the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) shall not apply with respect to land under the jurisdiction of the Department of the Army at Fort Bragg, North Carolina.

Mr. HELMS. Madam President, may I inquire if my distinguished colleague from North Carolina, Mr. FAIRCLOTH, has been added as a cosponsor of this amendment?

The PRESIDING OFFICER. The Senator is.

Mr. HELMS. I thank the Chair.

Madam President, as we always say around this place, this amendment is simple and straightforward. I have never heard of an amendment being offered that was not simple and straightforward.

This amendment proposes to stop the Federal Government and its bureaucrats from, first, preventing the Department of the Army from carrying out its national security mission and, second, wasting taxpayer dollars in the process.

The amendment addresses a problem the Army is having at Fort Bragg, NC. The U.S. Fish and Wildlife Service has listed a red-cockaded woodpecker as a threatened and endangered species and has designated Fort Bragg as a major recovery area for the red-cockaded woodpecker.

The bureaucrats at the Fish and Wildlife Service have forced the Department of the Army to go to great

length and great expense to set aside land, create tank trails, create nesting areas, and restrict construction—all to meet an arbitrary plan to protect woodpecker nests.

The Department of the Army has been required, first, to set aside 12,000 acres of land just to protect the woodpecker; second, to prepare a 44-page report that limits training activities of the Army; third, since fiscal year 1989, the Army has spent more than \$5 million as a result of the efforts to protect the woodpecker; fourth, to halt eight construction projects at the base.

Madam President, it is my understanding that four species are being protected at Fort Bragg and another one is going to be added soon—a butterfly—to make that five species. There are 70 more State and Federal species in line to be added. If four species require almost 13,000 acres of protection, what is going to happen 5 or 10 years down the road when there will be 70 species? Will there be any land at Fort Bragg left on which to train our troops?

The last time I checked the function of the Army is to defend the national security interests of the United States and not birds in trees. To carry out its national security function, the Army must have the ability to train its troops in battlefield situations. But as any military expert will tell you, training exercises are impeded when planners must work around protected woodpecker nests. This is in fact the case at Fort Bragg.

Madam President, there is another point: The Army is currently attempting to purchase an 11,000 acre parcel of land—known as the Overhills tract. This purchase has aroused some controversy inasmuch as it will take a significant amount of valuable land off the tax rolls in Harnett County, NC.

Part of the reason the Army must acquire this parcel, is to protect the red cockaded woodpecker. Let me quote from a letter I recently received from the Department of Army:

Purchasing this land would bring us much closer to attaining the number of active RCW (red cockaded woodpecker) colonies established by the U.S. Fish and Wildlife Service. Once the RCW population has been recovered, Fort Bragg will have much greater freedom in training and siting construction to support our mission.

The Army is being forced to buy more land, using taxpayers dollars, to protect woodpecker colonies.

Gen. Robert E. Lee wrote these words to his wife on December 25, 1862:

What a cruel thing is war: to separate and destroy families and friends, and mar the purest joys and happiness God has granted to us in this world; to fill our hearts with hatred instead of love for our neighbors, and to devastate the fair face of this beautiful world!

There will always be threats to our national security. The cold war may be over, but there still remain threats to our national security. We owe our soldiers the best possible training.



It is outrageous to sacrifice the training of our troops on the altar of environmentalism.

I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Is there any further debate on this amendment?

Mr. CHAFEE addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. Madam President, first of all, this is legislation on an appropriations bill, and I think that is improper to start with. But more than that, it is absolutely clear that in the Environment and Public Works Committee we are going to deal with the Endangered Species Act this year. That act is coming up for reauthorization and, indeed, it has not been reauthorized in several years, but we are going to reauthorize it. We are going to review it in connection with all the problems that have been cited so frequently.

I just think it is a mistake for us to be going at this piecemeal with every State which has a particular problem with the Endangered Species Act, to bring it forward in this piecemeal fashion. We are going to go at it in a very thoughtful way with hearings, with the administration testifying, with those Senators who wish to testify to come forward and, indeed, just today, we considered a measure by the Senator from Texas that would apply a 6-month moratorium on further listings under the Endangered Species Act. It deals solely with section 4, which is the listing section, and it does not deal with section 7, which is the conciliation section. That is quite proper.

In our committee, we had the Secretary of the Interior, Secretary Bruce Babbitt, testify. We had representatives from industry, and we had representatives from the affected areas and that is a very thoughtful way to proceed on this.

But I do deplore the procedure that is occurring tonight, which is to take a particular section and a particular area and say you cannot apply the Endangered Species Act to that.

Now, maybe there should not be colonies of woodpeckers provided for, but who knows what else might be encompassed under this procedure?

So, Madam President, I think it is very unfortunate that we are proceeding in this fashion, and I hope that the amendment will not be accepted.

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER (Mr. GRAMS). The Senator from California.

Mrs. BOXER. Mr. President, I really hope in this particular case the Senate will follow the leadership of John CHAFEE, the chairman of the Environment and Public Works Committee. I think it is not the right way to go about amending the Endangered Species Act, to attack it on every type of

bill that comes before us. It is not the right way to govern.

I wish to read what the amendment says:

Notwithstanding any other law, for fiscal year 1995 and each fiscal year thereafter, the Endangered Species Act shall not apply with respect to land under the jurisdiction of the Department of the Army at Fort Bragg, NC.

Well, if everybody carved out their territory, we would not be doing much to preserve the species that we really have an obligation to preserve.

Today, in the hearing of the Environment and Public Works Committee, we spent about 4 hours debating the Endangered Species Act. Many people do not realize that the drug taxol, which is the hope for those with ovarian cancer and breast cancer, came from a plant called the yew tree. Many people do not realize that the hope of finding cures for all kinds of dreaded diseases lies with these plants, these exotic plants, sometimes very simple weeds.

There is a company which grew up in the Silicon Valley of California called Shaman Pharmaceutical. It is a very interesting story. A shaman in the old culture is actually a doctor, and Shaman Pharmaceutical was founded here in the United States of America by a very bright young woman, business woman who realized the value that lies in these plants in the South American rain forests, and they have come forward with at least three drugs from these exotic plants which hold tremendous promise to treat lung disease and very, very difficult diseases to cure.

So I would say we do not know what endangered species lie in this particular area of Fort Bragg. We do not know what particular plants are there, what species are there, if they hold hope for the future. But simply to attach this amendment to a bill that deals with paying for military operations is certainly the wrong way to go about it.

So I certainly do hope that our colleagues on both sides of the aisle will follow the leadership of Senator CHAFEE, the chairman of the Environment and Public Works Committee. Let us show our faith in his leadership of this committee. It is going to be difficult to reauthorize the Endangered Species Act. We know we have to make it better. But we also know that if we pick it apart piece by piece, area by area, it seems to me we are robbing this country of some very important, potentially lifesaving endangered species. A lot of people say, when you point out that a species is in danger, what does that have to do with me, this little bird over here? They make fun of some of the endangered species.

Well, the fact is we have an ecological chain, and everyone supports saving the bald eagle. The Endangered Species Act saved the bald eagle. Everyone supported saving the California condor. And I will tell you, we lost in California the grizzly bear because we were not on top of preserving it. We lost that opportunity forever. It is

gone. Our grandchildren will never know what a California grizzly bear really was. So this is not the way to go about the debate on the Endangered Species Act.

We had Secretary of the Interior Babbitt in front of the committee today. He clearly stated he has gotten the message. He is going to work with communities. He is talking about exempting private properties, small parcels, from the Act so that we do not overburden small property owners. I think we are making terrific progress.

The Senator from Rhode Island is working with the Senator from Texas, and I think the bill she now has is moving in the right direction. I personally do not support a moratorium on this because you might lose a species in the process, which I think is the wrong way to go. But we are working together in the committee, Democrats and Republicans alike.

So, again, I am very surprised to see this amendment. I had no idea it was coming to the floor. I am pleased I was here so I could participate in the debate. I hope we will at the proper time vote against this amendment. It simply does not make any sense to have an amendment such as this on a bill which deals with paying for military operations.

I thank the Chair. I yield the floor.

Mr. INOUE addressed the Chair.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Mr. President, as one of the managers of this measure, I find this amendment to be most unfortunate. We have not had the opportunity of listening to all of the facts. I have listened very carefully to the distinguished chairman of the committee, the Senator from Rhode Island, and I believe all of us should take his sage advice. The committee is about to take up the whole measure of endangered species. This is an appropriations bill, and to have legislation of this sort placed upon it would place the whole measure in jeopardy. I hope we would do something to resolve this matter.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The other Senator from North Carolina is recognized.

Mr. FAIRCLOTH. Mr. President, I would like to speak on the amendment of my fellow Senator from North Carolina in regard to the red-cockaded woodpecker and the problem it has presented to Fort Bragg. The EPW has been completely out of reason in what we should be doing there, and they set

a quota of 300 colonies of red-cockaded woodpeckers that had to be established on the Fort Bragg military reservation. Some 25,000 acres have already been contributed to raising woodpeckers, and now we are talking about buying roughly 12,000 more acres at \$15 million of taxpayers' money to meet the quota of 300 colonies of red-cockaded woodpeckers.

I think the amendment that Senator HELMS has proposed is a good one. But I also agree with Senator CHAFEE that we need to bring it up before the EPW Committee, of which Senator CHAFEE is chairman, and of which I am a member. I would like the opportunity to work with Senator CHAFEE in the EPW Committee, and I will personally commit to the Senator from North Carolina that it will be done expeditiously and we will bring it up and act on it in the EPW Committee if he would see fit to withdraw his amendment.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, I thank my colleagues from North Carolina and I want to say this to them. We have not had an opportunity to have a hearing on this. We will rapidly. I do not want to say tomorrow or the day after, but all I can say is we will get to it as rapidly as we can. We will listen to the testimony, we will have the folks from the Army up, we will have folks from the Fish and Wildlife—I presume they are the people who are dealing with this—and possibly the EPA people. We will do the best we can to resolve this.

Obviously, if we cannot resolve it I will so inform the Senators from North Carolina and they will have opportunities to bring this up again. But it will be our earnest attempt to get this thing settled in a fashion that recognizes the problems that have been set forth by both the distinguished Senators.

So that is my commitment to attend to it very soon. I hope they will give me a little time to get to this because we have to get witnesses and, again, I cannot say it is going to be tomorrow, I cannot say it is going to be next week. But I can just say we will get right to it.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, needless to say I thank the Senator from Rhode Island. His proposition is fair. Every piece of legislation ought to stand on its own merits. Even though I think this is a ridiculous situation extant at Fort Bragg, NC, it is the same kind of ridiculous situation that is confronting businessmen all over this country. I am glad the Senator is working on that proposition.

In view of what has been said here, Mr. President, I ask unanimous consent that the yeas and nays be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HELMS. Mr. President, I withdraw the amendment.

The PRESIDING OFFICER. The Senator now has that right.

The amendment is withdrawn.

The amendment (No. 325) was withdrawn.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, I thank the distinguished senior Senator from North Carolina and the junior Senator. The junior Senator is a very esteemed member of our committee. I know he will pay close attention to this whole matter.

Second, I thank the senior Senator from Hawaii for his support in this matter. When he spoke, it got everybody's attention. Likewise, the distinguished Senator from California, who so ably spoke on this previously. Now it is up to us. We will get to it in the Environment and Public Works Committee.

Mr. HELMS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDMENT NO. 326

(Purpose: To strengthen international sanctions against the Castro government in Cuba, to develop a plan to support a transition government leading to a democratically elected government in Cuba, and for other purposes.)

Mr. HELMS. Mr. President, I send to the desk a printed amendment and I ask the sponsors be identified by the clerk in the preface to the bill. I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Carolina [Mr. HELMS] for himself, Mr. DOLE, Mr. MACK, Mr. COVERDELL, Mr. GRAHAM, Mr. D'AMATO, Mr. HATCH, Mr. GRAMM, Mr. THURMOND, Mr. FAIRCLOTH, Mr. GREGG, Mr. Inhofe, Mr. HOLLINGS, Ms. SNOWE, Mr. KYL, Mr. THOMAS, Mr. SMITH, Mr. LIEBERMAN, Mr. WARNER, Mr. NICKLES, and Mr. ROBB proposes an amendment numbered 326.

Mr. HELMS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

The PRESIDING OFFICER. The Chair notifies the Senator from North Carolina that there is a pending first-degree amendment at this time.

Mr. HELMS. I was not aware of that. I ask unanimous consent that it be temporarily laid aside so I can discuss my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HELMS. Mr. President, I was astonished to learn this morning that President Clinton's advisers have rec-

ommended that he ease up on the embargo against Fidel Castro's Communist Dictatorship in Cuba. If these advisers are parading under the flag of expertise, it's a false flag, and they are doing great harm to the President with such advice.

This is no time to be reducing U.S. pressure on Castro. It is precisely the wrong way to go. Backing off on Castro will help the Castro Communist dictatorship and do great harm to the Cuban people—who already have suffered too much for 36 years.

I have made it clear that, as chairman of the Senate Foreign Relations Committee, doing everything possible to bring freedom and democracy to Cuba is at the top of my priority list.

That is why I introduced the Cuban Liberty and Democratic Solidarity [Libertad] Act as my first piece of legislation as chairman of the Foreign Relations Committee.

Fidel Castro's brutal and cruel Communist dictatorship has persecuted the Cuban people for 36 years. He is the world's longest reigning tyrant.

Let me be clear: Whether Castro leaves Cuba in a vertical or horizontal position is up to him and the Cuban people. But he must—and will—leave Cuba.

I categorically reject suggestions to lift or soften the embargo. For 36 years, both Republican and Democratic Presidents have maintained a consistent, bipartisan policy of isolating Castro's dictatorship.

There must be no retreat in that policy today. If anything, with the collapse of the U.S.S.R. and the end of Soviet subsidies to Cuba, the embargo is finally having the effect on Castro that has been intended all along. Why should the United States let up the pressure now? It is time to tighten the screws—not loosen them. We have an obligation—to our principles and to the Cuban people—to elevate the pressure on Castro until the Cuban people are free.

The bipartisan Cuba policy has led the American people to stand together in support of restoring freedom to Cuba. As for my legislation, it incorporates and builds upon the significant work of the two distinguished Senators from Florida, CONNIE MACK and BOB GRAHAM, and of a number of our colleagues in the House of Representatives.

The message we should be sending to both Castro and those who want to do business with him are contained in the Cuban Liberty and Democratic Solidarity Act now at the desk. The message is: Isolate Castro until the Cuban people are free.

We can achieve this by strengthening international sanctions against the Castro regime by prohibiting sugar imports from countries that purchase sugar from Cuba and then sell that sugar to us; and instructing our representatives to the International Financial Institutions to vote against loans to Cuba and to require the United

States to withhold our contribution to those same institutions if they ignore our objections and aid the Castro regime.

We can accomplish this objective by urging the President to seek an international embargo against Cuba at the United Nations, and by prohibiting loans or other financing by a United States person to a foreign person or entity who purchases an American property confiscated by the Cuban regime.

My legislation reaffirms the 1992 Cuban Democracy Act, revitalizes our broadcasting programs to Cuba, and cuts off foreign aid to any independent state of the former Soviet Union that aids Castro, specifically if that aid goes for the operation of military and intelligence facilities in Cuba which threaten the United States.

This bill encourages free and fair elections in Cuba after Mr. Castro is gone and authorizes programs to promote free market and private enterprise in Cuba.

The bill also helps U.S. citizens and U.S. companies whose property was confiscated by the Castro regime by denying entry into the United States to anyone who confiscates or benefits from such property and by allowing a U.S. citizen with a confiscated property claim to go into a U.S. court to seek compensation from a person or entity which is being unjustly enriched by the use of that confiscated property.

Mr. President, the Cuban people are industrious and innovative. In countries where people are allowed to live and work in freedom, they have prospered. My hope and the hope of the cosponsors of this bill, is that this bill will hasten an end to the brutal Castro dictatorship and make Cuba free and prosperous once more.

Mr. President, I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, I want to commend the distinguished Senator from North Carolina. I understand he has laid the amendment down and we will continue the debate tomorrow morning.

I think when the administration talks about easing sanctions on Cuba they have made a big, big mistake. They have misread the American people, not just in the State of Florida where many Cuban-Americans reside. They have misread the public opinion all across America.

I hope that we have a good discussion of this amendment tomorrow morning. I thank the Senator from North Carolina. I am a cosponsor of the amendment. I thank him for laying down the amendment this time.

I hope my colleagues will have an opportunity to study the amendment overnight and to also review the remarks of the Senator from North Carolina so that they might also participate in the debate.

We are back on the bill at 10:30 or 11 tomorrow. I am not certain. We have not made that determination yet.

I thank the Chair. I thank my colleague.

Mr. HELMS. I thank the distinguished majority leader.

Mr. President, parliamentary inquiry. This amendment is to an excepted committee amendment. Is that not correct?

The PRESIDING OFFICER. It is the understanding of the chair that the Senator from North Carolina has an amendment set aside to propose this to the bill itself. The Senator, however, has the right to change it.

Mr. HELMS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MODIFICATION OF AMENDMENT NO. 326

Mr. HELMS. Mr. President, I ask unanimous consent that I may modify, at the bottom of page 1 of the amendment, so as to read, "At the end of the first excepted committee amendment, add the following:"

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HELMS. I send the modification to the desk.

The PRESIDING OFFICER. The amendment is so modified.

The modification reads as follows:

At the end of the first excepted committee amendment, add the following:

Mr. HELMS. I thank the Chair.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

##### GUEST CHAPLAIN, REV. PAUL W. LAVIN

Mr. HATFIELD. Mr. President, last week, we had the distinct honor of sharing the floor with a credentialed and principled brother, guest Chaplain, Rev. Paul W. Lavin. I have been fortunate to have shared a friendship with Father Lavin that has enriched me in many ways. This friendship has developed, as Father Lavin has graciously opened his parish to me in the morning, so I can begin my day with prayer and worship. These times have been invaluable as I wrestle with the difficult and complex issues that we regularly face in the Senate.

Father Lavin visited us with many accomplishments and distinctions. Father Lavin did his undergraduate work

at King's College and then later attended seminary at Seminary of Our Lady of Angels. After receiving his master degree from seminary, he was ordained a year later by Patrick Cardinal O'Boyle at St. Matthew's Cathedral in Washington, DC. This marked the beginning of his official religious ministry. He accepted his first pastorate, at Mount Calvary Parish where he ministered for 5 years. During his tenure, he established the ECHO retreat program for high school seniors and young adults in the Archdiocese of Washington. This program remains the primary youth retreat in the Archdiocese.

Father Lavin continued his commitment to young people in his next position as the director of Youth Retreats for the Catholic Youth Organization of the Archdiocese of Washington. Under his direction the Catholic Youth Organization created a retreat center in Silver Spring, MD which he administered until 1979. For the next 10 years, he served as the chaplain of American University. In his capacity, he established the Hannan Series, which brought those involved in significant public service together with American students to discuss how their faith has influenced their public lives. He then returned to the pastorate becoming the pastor of Mother Seton Parish which is a parish of 1,800 Catholic families in suburban Montgomery county. His present position as the pastor of St. Joseph's on Capitol Hill, is what has caused our paths to meet.

Father Lavin also is distinguished by many appointments which include: national chaplain of the Junior Catholic Daughters of America, member of board of directors of the Bishop McNamara High School, and president of Germantown HELP which is an ecumenical crisis helping organization.

I have been blessed by my relationship with Father Lavin. While I have no plans to forsake my Baptist commitments, I have always felt welcome at St. Joseph's. So much so, that when my daughter was engaged to a Catholic, I suggested that she hold her wedding at St. Joseph's, a suggestion that she eagerly complied with. Later my granddaughter was baptized at St. Joseph's.

It is encouraging when people can come together in fellowship made possible by their common bond in Christ. I have experienced this fellowship with Father Lavin, and I look forward to continued interaction with him in the future.

##### GUEST CHAPLAIN, REV. ERNEST R. GIBSON

Mr. DOMENICI. Mr. President, it is my distinct honor to reflect on the accomplishments of our guest Chaplain, Rev. Ernest R. Gibson. Reverend Gibson is a product of Howard University